

By Mr. FULMER: Concurrent resolution (H. Con. Res. 37) to authorize the printing of the hearings held before the Federal Trade Commission relative to the charge that certain corporations operating cottonseed-oil mills are violating the antitrust laws with respect to prices for cottonseed and acquiring the ownership or control of cotton gins as a document for the use of the Senate and House; to the Committee on Printing.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AYRES: A bill (H. R. 12925) granting an increase of pension to Jennie Miner; to the Committee on Invalid Pensions.

By Mr. BUTLER: A bill (H. R. 12926) for the relief of Lamm Lumber Co.; to the Committee on Claims.

By Mr. COYLE: A bill (H. R. 12927) for the relief of John Gwilym; to the Committee on Military Affairs.

By Mr. CRAIL: A bill (H. R. 12928) for the relief of James Hall; to the Committee on Military Affairs.

By Mr. EVANS of Montana: A bill (H. R. 12929) granting to the Butte Anglers' Club, of Butte, Mont., a patent to lot 1, section 5, township 2 south, range 9 west, and a patent to the Northern Pacific Railway Co. of lot 2 in said section 5; to the Committee on the Public Lands.

By Mr. LETTS: A bill (H. R. 12930) granting a pension to Joseph R. Smith; to the Committee on Invalid Pensions.

By Mr. McFADDEN: A bill (H. R. 12931) granting an increase of pension to Hattie R. S. Gates; to the Committee on Invalid Pensions.

By Mr. McSWAIN: A bill (H. R. 12932) granting a pension to John W. Griffin; to the Committee on Pensions.

By Mr. MANLOVE: A bill (H. R. 12933) granting a pension to Rachel Harvey; to the Committee on Invalid Pensions.

By Mr. MOUSER: A bill (H. R. 12934) granting an increase of pension to Rebecca Mitchell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12935) granting an increase of pension to Hallie Redfern; to the Committee on Invalid Pensions.

By Mr. FRANK M. RAMEY: A bill (H. R. 12936) granting an increase of pension to Elizabeth J. Hearin; to the Committee on Invalid Pensions.

By Mr. REED of New York: A bill (H. R. 12937) granting an increase of pension to Ellen Elmer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12938) granting an increase of pension to Jennie Apgar; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12939) granting an increase of pension to Lois C. Morse; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12940) granting an increase of pension to Kate Hasler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12941) granting an increase of pension to Mary E. Flanagin; to the Committee on Invalid Pensions.

By Mr. SHOTT of West Virginia: A bill (H. R. 12942) for the relief of F. M. Peters and J. T. Akers; to the Committee on Claims.

By Mr. THOMPSON: A bill (H. R. 12943) granting an increase of pension to Cathern A. Green; to the Committee on Invalid Pensions.

By Mr. TINKHAM: A bill (H. R. 12944) granting a pension to Alexander E. Brown; to the Committee on Pensions.

Also, a bill (H. R. 12945) granting a pension to Addie E. Kittredge; to the Committee on Invalid Pensions.

By Mr. TURPIN: A bill (H. R. 12946) granting a pension to Mary Shoch; to the Committee on Pensions.

By Mr. WYANT: A bill (H. R. 12947) granting an increase of pension to Catherine Campbell; to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

7542. By Mr. GARBER of Oklahoma: Petition of the News-Dispatch Printing & Audit Co., Shawnee, Okla., in opposition to House bill 11096; to the Committee on the Post Office and Post Roads.

7543. Also, petition of Immigration Restriction Association, Chicago, Ill., in support of Harris bill; to the Committee on Immigration and Naturalization.

7544. Also, petition of Lodge No. 294, Switchmen's Union of North America, in support of Senate Joint Resolution 161; to the Committee on Interstate and Foreign Commerce.

7545. Also, petition of Order of Railroad Telegraphers, Enid, Okla., in support of Senate Joint Resolution 161; to the Committee on Interstate and Foreign Commerce.

7546. By Mr. JOHNSON of Nebraska: Petition against proposed calendar change of weekly cycle, signed by 162 citizens of Culbertson, Trenton, and McCook, Nebr.; to the Committee on Foreign Affairs.

7547. By Mr. LINDSAY: Petition of Morris Dickstein Post, No. 462, New York, N. Y., urging that House bill 3239, providing increase in pensions to veterans losing limbs in line of duty, be immediately reported out of committee; to the Committee on Invalid Pensions.

7548. By Mr. REED of New York: Petition of the Woman's Christian Temperance Union, of Franklinville, Steamburg, Niobe, Fredonia, Cherry Creek, Phillips Creek, Little Valley, Friendship, and Jamestown, N. Y.; E. Snell Hall, president board of education; and other citizens of Jamestown, N. Y., indorsing the Hudson bill, H. R. 9986; to the Committee on Interstate and Foreign Commerce.

7549. By Mr. STONE: Resolution by Fletcher O'Dell Pledger Post, No. 88, Cleveland County, Okla., signed by the chairman, Daniel Nelson, and members, urging the passage of the Capper-Johnson bill; to the Committee on World War Veterans' Legislation.

7550. By Mr. WOLVERTON of West Virginia: Petition of H. H. Sears, of Silica, W. Va., urging Congress to pass at this session of Congress the Patman bill, providing for the redemption of adjusted-compensation certificates now held by veterans of the World War; to the Committee on World War Veterans' Legislation.

7551. By Mr. YATES: Petition of A. M. Tepton, secretary World Bond Adjusters, 173 West Madison Street, Chicago, Ill., urging defeat of House bill 11096; to the Committee on the Post Office and Post Roads.

7552. Also, petition of C. P. Burton, manager-editor the Earth Mover Publishing Co., Aurora, Ill., protesting the passage of House bill 11096, relative to certain post-office legislation; to the Committee on the Post Office and Post Roads.

7553. Also, petition of Hiram Penn, vice president Chicago & Riverdale Lumber Co., Riverdale, Chicago, Ill., protesting the passage of House bill 11096; to the Committee on the Post Office and Post Roads.

7554. Also, petition of the Tuthill Springs Co., 760 Polk Street, Chicago, protesting the passage of House bill 11096; to the Committee on the Post Office and Post Roads.

7555. Also, petition of J. V. Bohn, president J. V. Bohn Service, 37 West Van Buren Street, Chicago, Ill., protesting the passage of House bill 11096, stating it will reduce revenue rather than increase it; to the Committee on the Post Office and Post Roads.

7556. Also, petition of W. S. Leidig, president Barbers International Union, No. 548, 315 South Ashland Boulevard, Chicago, Ill., urging the passage of House bill 6603, known as the half-holiday bill; to the Committee on the Post Office and Post Roads.

7557. Also, petition of E. J. Baelis, auditor, D. B. Hanson & Sons, 23 North Franklin Street, Chicago, Ill., protesting the passage of House bill 11096; to the Committee on the Post Office and Post Roads.

#### SENATE

FRIDAY, June 13, 1930

(Legislative day of Monday, June 9, 1930)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

Mr. FESS. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	Frazier	La Follette	Shortridge
Ashurst	George	McCulloch	Simmons
Baird	Gillett	McKellar	Smoot
Barkley	Glass	McMaster	Steiner
Bingham	Glenn	McNary	Stephens
Black	Goldsborough	Metcalf	Sullivan
Blaine	Greene	Moses	Swanson
Borah	Grundy	Norbeck	Thomas, Idaho
Bratton	Hale	Norris	Thomas, Okla.
Brock	Harris	Oddie	Townsend
Brookhart	Harrison	Overman	Trammell
Broussard	Hastings	Patterson	Tydings
Capper	Hatfield	Philpotts	Vandenberg
Caraway	Hawes	Pine	Wagner
Cannally	Hayden	Pittman	Walcott
Copeland	Hebert	Ransdell	Walsh, Mass.
Couzens	Heflin	Reed	Walsh, Mont.
Cutting	Howell	Robinson, Ark.	Waterman
Dale	Johnson	Robinson, Ind.	Watson
Deneen	Jones	Robison, Ky.	Wheeler
Dill	Kean	Schall	
Fess	Kendrick	Sheppard	
Fletcher	Keyes	Shipstead	

Mr. FRAZIER. My colleague [Mr. NYE] is unavoidably absent. I ask this announcement may stand for the day.

Mr. SHEPPARD. I desire to announce that the Senator from Utah [Mr. KING] and the Senator from South Carolina [Mr. SMITH] are necessarily detained by illness.

The PRESIDENT pro tempore. Eighty-nine Senators having answered to their names, a quorum is present.

HON. E. Y. WEBB'S SPEECH ON BATTLE OF KINGS MOUNTAIN  
(S. DOC. NO. 165)

Mr. OVERMAN. Mr. President, next October there will be celebrated the sesquicentennial of the Battle of Kings Mountain. It is expected that the President will deliver an address upon the occasion. I ask that the paper which I send forward, an eloquent and able speech, full of information in regard to the battle, delivered by Hon. E. Y. Webb, of North Carolina, in the House of Representatives Saturday, May 5, 1906, may be printed as a Senate document.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Haltigan, one of its clerks, announced that the House had passed without amendment the bill (S. 4585) authorizing the State of Florida, through its highway department, to construct, maintain, and operate a free highway bridge across the Choctawhatchee River near Freeport, Fla.

The message also announced that the House having considered the bill (S. 962) to amend and reenact subdivision (a) of section 209 of the transportation act, 1920, had stricken out the enacting clause thereof.

The message further announced that the House had agreed to the amendment of the Senate to the bill (H. R. 10375) to provide for the retirement of disabled nurses of the Army and the Navy.

The message also announced that the House had passed a bill (H. R. 11443) to provide for an Indian village at Elko, Nev., in which it requested the concurrence of the Senate.

REVISION OF THE TARIFF—CONFERENCE REPORTS

The Senate resumed the consideration of the reports of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2667) to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, to protect American labor, and for other purposes.

Mr. WALSH of Montana. Mr. President, some time ago the Senator from Mississippi [Mr. HARRISON] offered for the RECORD editorial comment from various papers upon the pending tariff bill. I have editorial comments from two of the leading Republican papers of the Northwest, the Pioneer Press, of St. Paul, and the Tribune, of Minneapolis, taken from various issues of those papers. I ask that they may be incorporated in the RECORD. In the same connection I ask to incorporate in the RECORD some comments on the same subject by Mr. Jouett Shouse.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The editorials and the comments of Mr. Shouse are as follows:

[From the St. Paul Pioneer Press]

DISCOUNTED FARM DOLLARS

Parity for agriculture is not yet.

During February, 1930, the price at which the farmer sold his products was 131 per cent higher than in 1913. But the price at which he bought commodities was 155 per cent higher than the 1913 standard. That margin is considerably to the disadvantage of the farmer. It means that the dollar that the farmer produces is worth only 85 cents in a barter with the dollar of industry and commerce.

But more serious than that is the fact that the margin is becoming greater, according to Bureau of Agricultural Economics statistics. In February of last year the farmer sold at prices that were 136 per cent above the 1913 standard; while he bought at prices that were 156 per cent above. In one year the price of his products dropped from 87 to 85 per cent of the prices at which he bought, the lowest since 1927.

And yet Congress in writing a tariff bill to correct the discrepancy, gives favors to industry that take about as much out of the farmer's pocket as the higher agricultural rates will put in. Parity will never be attained that way.

CANADA'S TARIFF REPLY

Thinly veiled under the principle of preference for goods of the British Empire and of economic adjustment comes Canadian retaliation against the Smoot-Hawley tariff now pending in the United States Congress. The Canadian Government has proclaimed about 500 tariff increases of its own and is putting them into effect, subject to later

approval of Parliament. The duties are likely to remain as a new trade barrier to American exports unless the American tariff bill, before completion, is altered to remove Canadian objections.

Products of American export are particularly singled out, and the measure gives preference to British products. Canada, however, insists that its swing away from free trade is not an expression of ill will toward America. It is viewed rather as a necessity that was dictated by the American tariff. Canada has been buying twice as much from the United States as this country buys from Canada.

The new Canadian tariff will have an effect chiefly upon American industry. It is estimated that the schedules will affect \$300,000,000 worth of imports from the United States, and of this amount \$250,000,000 represents iron and steel imports. Canada has struck hard at American industry.

The Canadian tariff measure is arousing complaint from the Canadian farmer. The Manitoba Free Press cites minor concessions to agriculture, and declares that these are the price for which the Canadian farmers have sold their right to protest against higher prices for "the tools that they use, the machinery they employ, the clothes they wear, and the imported food that they eat." Canadian and British industrialists are jubilant. The Canadian farmer is pictured as "unimpressed."

In that respect the Canadian tariff revision is singularly like the Smoot-Hawley bill. Nor is that strange. The Canadian schedules were written in retaliation for an American bill, and the industrialists across the border were offered a good example in putting the interests of industry ahead of those of agriculture.

THE PLAIN COURSE

Whatever hope western Members of Congress may have had that the tariff bill would be made to square acceptably with the expectations of agriculture during the process of conference adjustment is now proved to have been unfounded. In reconciling the differences between the Senate and House bills the conference committee was able to write a measure which carries protection higher than either branch of Congress intended. The conference committee has acted as a sort of third house of Congress.

The method followed by the conference committee was essentially a simple one. It was, in general, to choose the Senate or House rate, whichever was the higher. When the Senate was low it was the House rate that prevailed. When the House was low it was the Senate rate that prevailed. There were many exceptions and compromises. The House was for free lumber, the Senate for a \$1.25 duty. The conference settled on a duty of \$1. But the preponderance of the thousand rate changes was made on the principle of adopting the higher rather than the lower. The House wanted to raise the tariff on pig iron 50 per cent. The Senate decided to leave it alone. The conference raised the rate by 50 per cent.

In this way an entirely new bill has been prepared in conference. The committee of adjustment was limited to agreement somewhere between the House and Senate bills. It could not invent new rates on specific items. The committee was required to choose either the higher or the lower or something in between. But by generally favoring the higher it was able to write a bill in which the average level of protection is higher than it was in either the House or the Senate version. Although agriculture has got better rates than it had to start with, so has every other industry.

The bill is not a limited revision of the tariff in the interests of agriculture and a few depressed industries, such as President Hoover asked, but a general increase of protection which would add materially to the cost of living without really helping the farmer. It would take out of agriculture's pocket about as much as it would put in. The new tariff would only put the disparity of agriculture on a somewhat higher level and make the farmer, without substantial benefit to himself, bear the responsibility for an unwarranted raising of protection.

The western Members of Congress therefore have a plain course. Their choice is between the desire to please the rulers of their party, who want the bill to pass, and the desire to please the people who have sent them to Congress, who do not want the bill to pass. They can be sure that in voting to defeat the conference report and set aside the tariff revision they will have the approval of the West.

[From the Minneapolis Tribune]

THE GRUNDYTES SHOULD COMPLETE THEIR JOB TO-DAY

It seems impossible to curb the zeal of the Grundytes once they get the bit in their teeth and begin raising tariffs on products of the soil. Their devotion to the cause of agriculture and to the objectives of Mr. Hoover is too touching for words.

On Friday, for example, Senator GORE, of West Virginia, in a fine fever of agricultural enthusiasm, proposed that the tariff tax be increased on the instruments used by the deaf to mitigate the hardships of their lot. Here we have an opportunity to take the measure of the great statesman from West Virginia. We see before us not merely a notable agricultural economist but a splendid humanitarian. Everybody knows that the instruments for the deaf represent one of the most dependable crops grown by the farmers along the Mississippi Valley.

Everybody knows, too, that instruments for the deaf should be sown with greater frequency, since they enrich the soil and increase the yield of different crops used in the scheme of rotation. So much for Senator Goff as an agricultural economist. On the humanitarian side he is to be praised for realizing that human misfortune should be punished—and punished severely—by governmental action, and that anybody who loses the sense of hearing ought to be set upon by Federal agents and fined. On fuller reflection Senator Goff may perceive that he did not grasp the entire significance of his own proposal. When he does, he is likely to amend it and ask for a law to the effect that all deaf and blind people be given solitary confinement in jail. That would be entirely in harmony with his ideas of humanitarianism and his notion of aiding agriculture.

Senator BARKLEY, of Kentucky, suggested, as a fitting companion piece to Senator Goff's proposal, an increased tax on crutches. That also fits the Grundyites' philosophy of how agriculture in particular, and humanity in general, be granted boons. When the Grundyites begin to write an agricultural tariff bill, strange and wonderful things happen. The Grundyites are willing to go to any lengths to raise tariffs on the farmer's instruments for the deaf crop, his crutch crop, his oil crop, his shoe crop, his lumber crop, his hat crop, his cement crop, his brick crop, his household-furniture crop, his watch crop, his camera crop, his pocketknife crop, his cartridge crop, his umbrella crop, and his doll crop. They visualize the modern diversified farm as one in which the proprietor looks out of the window and perceives not only a crutch orchard but a waving field of cement and, further along, a darker tinted field of rippling brick. Cameras, umbrellas, and pocketknives go clucking about, and in the distance one hears the grunts of cartridges and the lowing of incandescent bulbs. In the barn a boy is milking oil from the cow and a few rods distant another boy is plucking shoes from the shoe trees. Upon these farm products the Grundyites are willing to grant any protection. The sky is the limit, so far as they are concerned.

In fact there is nothing the Grundyites will not do for the farmer except to give him what he wants. All they wish to do is to tax him out of house and home—perhaps on the theory that the only way to solve the farm problem is to exterminate the farmers. Anyway they should see to it that to-day, which will probably be their last chance at the tariff, they get through a good stiff tax on crutches. If they have their way, the farmers won't be purchasing anything five years hence except crutches, and it would be a shame if somebody didn't make a big killing on the farmers' last buy. To the Grundyites the thought that an opportunity like that had been overlooked would be unbearable. Farsighted Grundyites should not relax for a second to-day.

#### DON'T LET THE TARIFF BILL BECOME HYPHENATED NOW

It would be more than a crowning shame if, at the last minute, the Senate were to let Grundyism ruin the tariff bill.

There is some prospect that the bill will be passed by the Senate this week. Strangely enough no one can yet predict its final character. Every day, literally every hour, from now on is important.

The bill came out of the House not as an agricultural bill, but as a Grundy bill. It came out of the Senate Finance Committee as a modified Grundy bill. The coalition then went to work and did a brilliant job in raising the agricultural rates, in the main, to where they should be, and in throwing overboard the nonagricultural increases.

The agricultural Northwest had just about begun to breathe easily and to feel that an agricultural bill was assured when the Grundyites undertook to dangle bait before the coalitionists. The majority refused the bait, but enough of them swallowed it to give the Grundyites the upper hand.

Unless the weaker members of the coalition can develop a stiffened spine during the week, the Grundyites will add substantially to their list of trophies. In that event the bill will be a strange and unnatural thing—a Grundy agriculture bill. The agricultural rates will be substantially what agriculture wants. The nonagricultural rates will be substantially what Mr. GRUNDY wants. And this curious hybrid is what will go into conference.

The Republican Party should be able to see that a Grundy agriculture bill will never have any "appeal"—as the picture fans have it—for the country. All consumers will be against such a bill. Agriculture does not care for the philosophy of Grundyism and is not going to be happy about being a party to so monstrous an alliance. Agriculture was promised an agricultural bill, not a Grundy agricultural bill, and, while it might be pleased about the agricultural rates, it will always be indignant about the Grundy rates. By making good its pledge, the Republican Party has an excellent opportunity to win agriculture's whole-hearted backing.

The well-being of the country demands the increased agricultural rates. The distress of a great basic industry like agriculture can not forever be localized. The wisdom of passing a tariff bill which might mitigate, in some degree, this aforesaid distress, should be apparent to everybody. But what can be said of the wisdom of passing a tariff bill which will at one and the same time mitigate and intensify agriculture's distress?

The nonagricultural increases advocated by Mr. GRUNDY are not conceived out of regard for the well-being of the country. The philosophy of Grundyism has been given an admirable and candid exposition by Mr. GRUNDY himself. He believes the contributors to the war chest should be rewarded; to his way of thinking tariff favors are bought, sold, and delivered over the counter.

The Republican Party will be making one of the greatest mistakes in its history if it allows Mr. GRUNDY to slip all his favorite increases into the bill at the last minute. Agriculture does not want to go into partnership with Mr. GRUNDY; no ingenuity can make so distasteful a union propitious.

Unless the Republican Party is utterly lacking not only in statecraft but in ordinary political horse sense, it will not commit the folly of sponsoring anything so absurd as a hyphenated bill of the sort described.

The clear course prescribed by reason is to reject these last-minute bargains proposed by the Grundyites and to pass a bill which will live up to the original specifications laid down by Mr. Hoover. No political harvest is to be reaped by any other program. Rather as the wind is sown the whirlwind will be reaped.

#### A BIG DIFFERENCE BETWEEN 76 PER CENT AND 3 PER CENT

What sentiment there is for the Hawley-Smoot tariff bill in the Northwest chiefly takes its stand on the report not long ago issued by the Tariff Commission.

The substance of the report was that the new bill would increase duties by about \$106,000,000—and that of this sum about \$72,000,000 would represent agriculture's share.

The report would seem to make out a pretty good case for the bill as a measure written in the interests of agriculture. But the impression created by the report is much rosier than an analysis of the facts will sustain.

First, it includes among agriculture's assets the compensatory duties given to manufacturers using raw materials of agricultural origin. These, however necessary they may have been, should not be reckoned as assets.

Second, it lends itself to the inference that agriculture is a homogenous and standardized industry, and that each benefit conferred upon agriculture is a benefit conferred upon every individual farmer. The truth is that only about one agricultural benefit out of ten is to the advantage of the average farmer. The other nine represent losses to him.

The person who casually reads the Tariff Commission's report would get the idea that about 76 per cent of the changes made in the Hawley-Smoot rates are in the average farmer's favor.

Yet, when proper allowance is made for the foregoing factors, it turns out that the average farmer will profit by only about 2 or 3 per cent of the changes made, whereas he will lose by about 97 or 98 per cent. Never let it be forgotten that he will lose by most of the agricultural increases as well as by all of the nonagricultural increases.

The Tribune has again and again warned its readers against an acceptance of the fallacious assumption that "agriculture" and "the average farmer" are synonymous. The only case that has been built up for the Hawley-Smoot bill as an agricultural measure has been built up on that collapsible proposition. If the Tribune believed that 76 per cent of the rate changes embodied in the Hawley-Smoot bill would react to the advantage of the average farmer, we should certainly be cheering for the bill. But when, as we see it, perhaps 3 per cent of the rate changes wrought in the new bill would be beneficial to the average Minnesota farmer, and about 97 per cent of them harmful to him, we can not find it in our hearts to be enthusiastic about the bargain he has got. We are interested in the average Northwest farmer's financial troubles, not in agriculture's statistical troubles.

#### RELIEVE THE FARMER—OF EVERYTHING HE HAS

What will happen to the Hawley-Smoot tariff bill in conference we are in no position to say, but it must be admitted that the outlook is far from reassuring to those of us interested in the agricultural Northwest. Among the six all-important conferees we haven't a champion or friend. These six conferees are somehow or other to take two bills apart and to piece them together into a new bill. The first of these bills, the House bill, is distinctly injurious to the Northwest; the second, the Senate bill, is injurious in certain respects and beneficial in certain other probably more important respects. The present danger is that the new compromise bill will undo a vast deal of the good work done by the Senate.

A sample of how the conferees are keeping their promises to agriculture was cited by Mr. Authier in yesterday's Tribune. Sodium chlorate is used by the farmer to kill weeds and other noxious growths. In the House bill a duty of 1½ cents per pound was imposed upon it. This was strictly in accordance with the philosophy of the authors of the House bill, who added to the Hoover mandate "Relieve the farmer" the following words, "of whatever he has." The Senate, however, put sodium chlorate on the free list, where it belonged. Had the conferees paid the slightest attention to the Republican Party's campaign pledges, they would have accepted the Senate action and discarded the House action. But the House conferees succeeded in overruling the Senate

conferees, with the result that the Senate action was discarded while the House action was sustained.

The long and short of it is that the decision of the conferees puts another unjustified cost on the farmers for the purpose of aiding an English-owned plant manufacturing the chemical.

The conferees are to be congratulated on the way they disposed of sodium chlorate. They have excellent memories and great fidelity to the promises made agriculture by the Republican Party. Their understanding is that the Republican Party pledges itself to put the farmer out of business and drive him off the land. At least we take it that that is their understanding, since their actions are conforming to that guiding principle. We in the Northwest are indeed fortunate to have such fine upstanding representatives of agriculture as HAWLEY, TREADWAY, and BACHARACH looking out for our interests in conference. The emergence on the scene of these three heroes gives to agriculture the same reason for unrestrained rejoicing that the sight of three masked men gives a grocery-store proprietor.

#### THE PUBLIC'S CHANGED TARIFF PERSPECTIVE

The outcry against the Smoot-Hawley bill now being heard from every other part of the country represents too arresting a phenomenon to be ignored.

There is no evidence that the outcry is worked up by artificial means. On the contrary, it appears to be perfectly spontaneous.

The popular resentment against the Smoot-Hawley bill is not difficult to trace. The country at large did not want a tariff revision at this time, but was reconciled to it because of the belief that certain changes in the agricultural rates might improve the lot of the agricultural producer. The American public generally was sympathetic to agriculture and honestly wished to see a bill put through that would improve its admittedly unsatisfactory status.

At first the public at large paid little attention to the bill. It heard from time to time that agriculture was not faring as well as had been hoped. It learned that tariff favors were being distributed lavishly to manufacturers who knew how to conduct skillful lobbies. It was informed that the special session was not being kept to its original purpose of a limited revision. Finally it gained the impression that the benefits conferred upon agriculture by the bill were disappointingly slight and, such as they were, purchased at a disproportionately and irrationally high cost.

The farmers themselves, it may be said, were the key to the situation. The public, we believe, would have been content with the bill if the farmers themselves thought it would be of any substantial aid to them. Even if the bill meant some slight increases in the cost of living, the public would have felt that the sacrifice demanded of it was worth while. The public knows that the health of agriculture is essential to the national well-being. Therefore it would not have objected greatly to slightly increased living costs if it could see that they guaranteed the return of agriculture to health.

The public at large was next to discover that the farmers themselves thought the bill a fraud. It was also to discover that the cost of this fraud would be roughly \$1,000,000,000 a year. The public might well consider a billion dollars well spent if that sum would put agriculture on a solid foundation, but it could see no earthly reason for taxing itself a billion dollars a year when no discernible good purpose was thereby served. Once the public had progressed this far in its reasoning, it made up its mind decisively about the bill.

Now, the theoretical beneficiaries of the bill, the agricultural producers, and the theoretical victims of the bill, the consumers, are alike bombarding it. The farmers say they don't want a bill which will only harm the consumers without bringing any commensurate benefit to them. The consumers say that the only possible justification for a bill imposing increased living costs on the public would be agricultural relief, and that if the bill hasn't that justification it hasn't any.

Thus the unpopularity of the bill may be traced directly to the original failure to fulfill the promises made agriculture.

It seems to us there is one significant moral to be drawn from the present attitude of the public. No longer is there any blind acceptance of the doctrine of high protection. The public is not willing to follow the Grundys who insist that the way to insure prosperity is to raise tariff rates promiscuously. The public in general is against any stiffening of the rates unless it can be shown that some national benefit is thereby to be gained. The Grundys for once are on the defensive. The public's cast of mind is now inquiring and challenging. Its approval of increased tariff rates is no longer assured in advance. It wants reasons for any proposed changes.

The public was prepared a year ago to accept increased tariff rates because it saw a sound national reason for an upward tariff revision. That reason was agriculture. But once agriculture dissociated itself from the bill, the reason for increased tariff rates disappeared. And with that the public turned thumbs down on the bill.

The present outcry against the bill demonstrates that the public's perspective on the tariff has changed. Politicians may henceforth accept it as axiomatic that unless they can give the public sound reasons for tilting tariff rates upward they are playing with fire when they attempt such performances. The root of the present embarrassment is the en-

deavor to foist upon the public an agricultural bill which agriculture won't support. The cardinal error was that of not satisfying agriculture first, and then letting agriculture sell the rest of the country on the bill. Congress is now paying the bitter penalty for its mistake in forgetting the objectives which President Hoover set forth at the opening of the special session.

WASHINGTON, June 11.

Chairman Jonett Shouse, of the Democratic National Executive Committee, commented to-day on the charge of Democratic complicity in the Grundy tariff, as follows:

"In their effort to escape responsibility for the Grundy tariff, some of the statesmen who affect to speak for the administration are seeking to attach part of the responsibility for the indefensible bill to Democratic Senators. Part of this propaganda is the industriously circulated report that the Democrats mean to insure the passage of the bill by absenting themselves, etc. There is, of course, not a vestige of truth in this statement. A very few Democratic Senators who have been for the bill right along because of what they conceive to be the interests of their individual States will doubtless vote for it. But my information is that approximately 85 per cent of the Democratic votes in the Senate will be recorded against the measure.

"The other day Senator Fess, criticizing a speech I made in Columbus last week, spoke of 'the very major part which Democrats have had in writing the pending bill,' and in support of this declaration he cited the votes of a considerable number of Democrats on individual schedules. These votes merely recorded the desires of the Senators in question to serve their own people. If a bill was to be passed extending protection favors, they wished their home industries to be placed upon a par with other industries. They were against the bill as a whole and the votes of nearly all of them on the final passage will testify to this. In other words, if there had to be a towering tariff, they wished their States to get a part of the favors, but they preferred to forego this rather than that the terrific additional burden involved in the Grundy bill should be inflicted on the whole people.

"Senator ALLEN, of Kansas, made the same argument, instancing the votes of the two New York Senators on individual rates that affected their constituents.

"It would be at least as logical and consistent for me to urge that because 18 Republicans voted in the Committee of the Whole against an increased duty on sugar and 13 of them voted against the Smoot amendment in the open Senate for a smaller increase, that, therefore, these Senators were against the whole tariff bill. Among these Senators was ALLEN, of Kansas, on both votes. Similarly, 20 Republican Senators—ALLEN also among these—voted against putting a duty of \$1.50 a thousand feet on lumber. Senator SMOOT was likewise among these. If, because a Democratic Senator voted for an individual schedule or a number of them, he is to be charged with complicity in passing the Grundy tariff, why isn't it equally just to hold that Senator ALLEN and Senator SMOOT are accomplices in the effort to defeat the pending measure?

"The truth is that the Republicans themselves are ashamed of the bill, recognize the political danger resulting from its unpopularity among practically all the elements of our population, and for this reason are seeking to shoulder part of the blame onto the Democrats. I do not know how the vote will go on Friday. It is not improbable that it may again require the ballot of Vice President Curtis to put it across.

"Its sponsors took advantage of the weakness of the President's presumed leadership to defy his recommendations, confident that he would submit to their decision, even though it stultified his directions. The one legitimate hope to prevent the infliction of an additional burden of a billion dollars a year on a people already in the throes of business depression, with its concomitant miseries of unemployment and decreased incomes, lies in the Democratic senatorial delegation.

"It is a rotten bill, and if it wins it will only be because of the shameless logrolling of its later stages, which were consistent in their cynical disregard of the public welfare with the greed that characterized the conception of the tariff raid and the chicanery of every step of its progress.

"The agricultural interests are indignant at its pretense of benefits to them, realizing that they must pay many times over in what they buy for the problematical increases in the prices of what they sell. Industry, for the most part, is aghast at the slaughter of the foreign market and the inevitable result forecasted by the protests of foreign governments of reprisal duties. The leading economists of the country, individually and en masse, have testified to the unworth of the measure. They have pointed out that the infliction of higher costs of living at this time must delay indefinitely the recovery of the country from the existing panic psychology. The President himself must be nauseated by the bill, unless we are willing to assume that the promise of his opening message to Congress on the subject was mere lip service intended to lull the country into complacency with the intended robbery.

"It is no part of my function to essay the influencing of votes in the United States Senate, nor is it for me to criticize the handful of Democratic Senators who are taking a course contrary to that of 85 per cent of the Democratic delegation. My own idea is that they overestimate

the advantage of their own States in comparison with what the Grundy tariff as a whole will cost the people of those same States. They, however, are entitled to their own views and are the keepers of their own consciences. But their votes do not make the contentions of Senator FESS and Senator ALLEN any less ridiculous. Perhaps 5 Democratic Senators will vote for the bill and perhaps 44 Republicans.

"With these figures, I think that the alibi of Democratic complicity falls to the ground and the verdict at the polls next November will show what the voters of the United States think about it."

Mr. CONNALLY. Mr. President, some weeks ago I attended a theatrical performance here in the city entitled "Journey's End." It was a story of the World War. It pictured the varying fortunes of that great struggle over a long period, but when the close came the forces with the heaviest artillery, the largest war chest, and the greater munitions won the day.

We are now approaching "Journey's End" in the long tariff struggle. The fortunes have not been always on one side. Now and then the farmers and the agriculturists and the consumers made some advances, but later their territory was retaken, and now as we approach the final vote they confront defeat in the face of a determined and confident foe.

The closing days of the debate have been attended with some dramatics. Some may regard them as burlesque dramatics. I shall make no comment upon the stage setting which accompanied the pronouncements of the Senators from Pennsylvania [Mr. REED and Mr. GRUNDY] any more than to say that as to the vote of the junior Senator from Pennsylvania [Mr. GRUNDY] there was little doubt in the minds of most people as to where he thought his duty lies. The obligations of parenthood are so serious that in all civilized countries the father, in good morals and ethics if not in law, is, though a bachelor, required to support his own offspring.

Mr. President, I don not flatter myself that anyone is waiting with expectation as to the pronouncement of my own position. I should be very much disappointed if any constituent of mine should be in any doubt as to where my vote shall be recorded on the bill. I expect by the remarks that I shall make to change no one's vote or viewpoint, but having been a member of the Finance Committee and a member of the subcommittee on the agricultural schedule, I feel some sense of responsibility with reference to the fashion in which agriculture has been treated in the bill.

For fear that some future bucolic Gibbon desiring to write the story of the decline and fall of agriculture in the United States, should come upon this bill in his investigation, I want these remarks of mine to appear as near as may be to the vote on the pending tariff bill in order that such an investigator may know that I at least protested with my voice and my vote against its enactment.

When this bill was introduced it was attended by loud proclamations by the administration and by Republican Senators here to the effect that it was to be an agricultural tariff bill. The farmer, however, was forgotten before we had gone very far.

The Senator from Indiana [Mr. WARSON] a few days ago sought to revive the myth, sought to bring back to life the moribund fiction that this measure was designed to aid agriculture; and he placed in the RECORD a statement, prepared by the Tariff Commission, which sought to demonstrate that the pending tariff bill was chiefly drawn and chiefly designed to aid American agriculture. He undertook to demonstrate that under this bill on agricultural commodities \$55,000,000 worth of duties would be collected, according to the imports of 1928, and, therefore, out of the \$107,000,000 of increased duties collected agriculture would receive the benefit of the larger percentage; but, Mr. President, the Senator from Indiana failed to tell us that of the \$55,000,000 expected in receipts from agricultural duties sugar alone will bring in \$15,000,000, hides \$8,000,000, and long-staple cotton \$7,000,000, making an aggregate of \$30,000,000 of the \$55,000,000 on three items, the duties on which in themselves will be of inconsequential benefit to agriculture, and in order to get the additional \$15,000,000 from sugar into the Treasury of the United States the people of the United States must pay \$30,000,000 in the increased cost of their sugar, and of that \$30,000,000 the American sugar farmer, as was demonstrated here in the debate on sugar, will receive only one-fifth of the benefit, or \$6,000,000.

Mr. President, that is a sample of the way in which agriculture has been treated in this bill. About \$9,000,000,000 worth of agricultural products in the United States will get no benefit whatever under the measure. Out of a total production of \$12,000,000,000 of agricultural products it is estimated that probably \$3,000,000,000 worth will get some help from the rates carried in the bill, leaving \$9,000,000,000 with no benefit whatever from the tariff act.

Something of what we may expect from the Tariff Commission in the way of politics may be anticipated from a statement appearing in yesterday's Washington Post headed "Tariff Farm Aid, Brossard Asserts."

Doctor Brossard, as I understand, is the chairman of the Tariff Commission. Here on the very eve of a vote, and as a part of the stage setting for the final climax of this drama, Doctor Brossard gets himself into the headlines on yesterday morning through an address to the Women's City Club, in which he makes this astounding statement:

The last two tariff acts and the present bill are largely agricultural tariffs and are calculated to benefit the farmers, Dr. Edgar B. Brossard, chairman of the United States Tariff Commission, told the business and professional section of the Women's City Club last night in a talk on "Agriculture and the tariff, with sidelights on the Tariff Commission."

Doctor Brossard showed how the consumer—

Note this—I should be glad if the Senator from Utah [Mr. SMOOT] especially would note it:

Doctor Brossard showed how the consumers and producers' interests are identical for the reason that producers are consumers and the consumers are producers.

In the view of Doctor Brossard, chairman of the Tariff Commission, there is no difference between a consumer and a producer. That is the sort of a Tariff Commission which is ready to lend itself to political propaganda on the eve of a vote—a Tariff Commission that can not distinguish between a producer of a highly protected article and the consumer of that article, and yet in that kind of a Tariff Commission it is proposed, under this bill, to vest the power to revise every schedule of it.

We have another political aide coming in at the last moment in the person of Mr. R. W. Dunlap, Assistant Secretary of Agriculture. I quote briefly from a newspaper dispatch, as follows:

Speaking as "a dirt farmer from Ohio," Assistant Secretary of Agriculture Renick W. Dunlap told of the benefits that farmers will derive from a protective tariff. He showed how farmers of this country would lose the market for their products if the tariff was removed from the same products from other countries.

The article by Doctor Brossard is headed "Agriculture and the Tariff, with Sidelights on the Tariff Commission." Mr. President, if we are going to invest the power to fix tariff rates in a commission headed by a man who does not know the difference between the consumers and the producers of articles, we ought to provide some other sort of lights than sidelights.

Now, Mr. President, I want to demonstrate briefly that in the 1928 campaign the platforms of the two great political parties, particularly the Republican platform, made straight out, unvarnished declarations to American agriculture that this session of Congress, and for that matter the entire Congress was to be devoted to restoring agriculture to an economic equality with other industries. Here is what the Republican platform of 1928 declared:

The Republican Party pledges itself to the development and enactment of measures which will place the agricultural interests of America on a basis of economic equality with other industries to insure its prosperity and success.

I have here the Republican campaign textbook for 1928. In this book, no doubt, went some of the money collected by the junior Senator from Pennsylvania [Mr. GRUNDY] and delivered to the Republican National Committee for propaganda purposes. I want to read very briefly some excerpts from the Republican campaign textbook, which admits that, so far as the exportable surplus of agricultural products is concerned, the American farmer can not compete with European or foreign producers, and lays down the doctrine that in the future American agriculture must confine itself to the domestic market of the United States. I read from the Republican campaign textbook, page 183:

American agriculture is no longer supreme in world markets, because newer countries produce more at less cost and undersell the American farmer in all markets where he is not given especial protection.

I read a little further:

These competing agricultural countries will continue to hold their lead over the United States, because for longer than the lifetime of anyone now living the land values, labor costs, transportation costs, and other elements which enter into production costs will remain lower than they are to-day in this country. It means those countries are going to undersell the American farmer in every other world market and—what is of vital importance—undersell him in his home market unless he maintains a high protective wall.

I submit that this statement in the Republican campaign textbook declares that, so far as American surplus farm products

are concerned, they can not, and never will, compete with foreign agricultural products.

I want to quote briefly another statement from the same campaign textbook:

Wheat production in the Argentine, Australia, and Canada has already so far outrun the consumption in those comparatively sparsely settled agricultural countries that they are exporting 70 per cent of their production. \* \* \* Practically every bushel of such increase will go into the export market, as their domestic consumption is not likely to appreciably increase.

Listen to this testimony:

All of this wheat is being produced at costs far below anything possible in the United States and this difference in production costs will not diminish any during the next generation. \* \* \* It is inevitable that the United States wheat farmer is going to be appreciably undersold in the world's wheat market, and, unless he maintains a high protective tariff, he is doomed to be undersold in his own home market to a degree that will drive him out of the wheat-producing business.

That is an admission that, so far as the exportation of wheat products from America are concerned, the American wheat farmer is going to be driven out of business.

Another quotation sets forth a statement by Mr. Roy Roberts, formerly a newspaper man in Washington, an intimate and friend of the President of the United States. Mr. Roberts was sent abroad in 1927 to make an investigation of industrial and agricultural conditions in Europe and Russia. Here is what Mr. Roberts says, quoted with approval by the Republican campaign textbook:

Any program of bringing back American agriculture based on the premise of selling more foodstuffs abroad is a mirage—not a practical proposition. \* \* \* There is only one basis on which the United States could expect to increase its food sales abroad, and that would be producing wheat cheaper than Canada, Australia, and the Argentine; beef cheaper than Argentine; and bacon and dairy products and eggs cheaper than near-by Denmark.

What does the Republican campaign textbook say with reference to the great cotton crop of the South? After reciting the situation of the wheat grower and showing that he can not compete in foreign lands with his exportable surplus, the Republican campaign textbook then says this:

Therefore the southern cotton planter may be entering upon an experience similar to that which the western grain grower and cattleman has passed through during the last 25 years. He may be crossing the very threshold of a new era which will witness countries with cheaper lands and cheaper labor taking away from the United States the leadership in cotton production and export.

Mr. President, in view of the admission that the American cotton producer can not compete with foreign cotton producers, and the admission that wheat growers can not compete as to their exportable surplus with other countries of the world, what good does the marketing relief act accomplish? How can we export products abroad and sell them in competition with foreign countries when it is admitted that labor costs are cheaper, their investments in land are less, and all of the elements of production are at a lower level? How can we export our surplus abroad and sell it when, as a matter of fact, the surplus controls the price of the domestic product here at home? The surplus wheat shipped abroad fixes the domestic price of wheat; the surplus cotton shipped abroad fixes the domestic price of cotton. In this situation what are we going to do with reference to the exportable surplus of farm products? What does Mr. Legge, chairman of the Farm Board, say? In a dispatch from Topeka, Kans., on April 19, Mr. Legge said:

Asserting the outlook for the wheat growers on an export basis does not appear bright, Alexander Legge, chairman of the Federal Farm Board, in a letter to Governor Reed yesterday said:

"It is our duty to place the facts before the growers, in the hope that they may gradually adjust production to the probable consuming demand. We believe that with some adjustment the American grower of cotton can stay in the export field. We can not, however, see any such hope for the wheat grower."

Mr. Legge, chairman of the Federal Farm Board, appointed to relieve the wheat farmer and the cotton farmer, says that there is no hope for the American wheat grower in the foreign market. He says there may be some hope for the cotton producer, with adjustment!

Mr. President and Senators, I submit that this question is a challenge to the Senate and a challenge to the American people, when it is admitted on all sides that so far as exportable surpluses of farm products are concerned we can not compete abroad; and yet the Congress and the administration do nothing

of a substantial character to rectify that position, in spite of the most solemn campaign promises.

Mr. President, Bourke Cockran once threw a Democratic convention into great enthusiasm by dramatically declaring that Grover Cleveland was the most popular man in the State of New York; then, after a pause, he said, "Except at election time." The American farmer is the most popular individual in all the land at election time, but after election time he loses his popularity, except in the form of declarations and orations in his behalf which carry with them nothing of saving grace.

The President of the United States is in sympathy with agriculture. He wants to do something for the American farmer. I bring him as a witness. I read from Mr. Hoover's speech of acceptance of the Republican nomination on August 11, 1928:

The most urgent economic problem in our Nation to-day is in agriculture. It must be solved if we are to bring prosperity and contentment to one-third of our people directly and to all of our people indirectly. We have pledged ourselves to find a solution.

Here is what he said in that speech a little further along:

The working out of agricultural relief constitutes the most important obligation of the next administration.

Not "one of the most important" but "the most important."

I stand pledged to these proposals. The object of our policies is to establish for our farmers an income equal to those of other occupations—

Rather an ambitious program—

for the farmer's wife the same comforts in her home as women in other groups; for the farm boys and girls the same opportunities in life as other boys and girls. So far as my own abilities may be of service, I dedicate them to help secure prosperity and contentment in that industry where I and my forefathers were born and nearly all my family still obtain their livelihood.

That is the desire of the President of the United States. How have his party met that obligation and that pledge? Is this tariff bill their answer? Is this the measure that is going to lift the farmer's wife to the same level of comfort that other women in the land enjoy? Is this the measure that is going to put the farmer in the same caste of prosperity that other industries enjoy? Is this the measure that is going to take the farmer's boy and lift him up and give him the same opportunities that other boys and girls in the land enjoy?

The President of the United States repeated that statement in his home-coming address in Iowa, out in the farming section.

What did Mr. Hoover tell us when he called this special session? He said:

The great expansion of production abroad under the conditions I have mentioned renders foreign competition in our export markets increasingly serious. It seems but natural, therefore, that the American farmer, having been greatly handicapped in his foreign market by such competition from younger expanding countries, should ask that foreign access to our domestic market should be regulated.

The President has a broad vision of this situation. He does not believe in any tariff walls that are prohibitive. He says:

In determining changes in our tariff we must not fail to take into account the broad interests of the country as a whole, and such interests include our trade relations with other countries.

As a parting shot in that message Mr. Hoover wanted Congress to know that he is not advocating a tariff that will injure or destroy our foreign trade. He is conscious of the fact that as to our exportable surplus of all products, they must find a market abroad; and that unless we allow foreign countries to send their goods to America to exchange them for our surpluses, foreign commerce and foreign trade will be injured and hampered.

Mr. President, what is the answer to this situation? The answer to this situation as to exportable agricultural surpluses is the agricultural export debenture. That system was not only engrafted on the farm relief measure by the Senate but it was adopted as an amendment to this tariff bill; and if the conferees had left that provision in the bill, the American farmer might have been able to look up from depressing prospects with some degree of hope that the promises that had been made him were to be kept, and that he was to receive some benefit from that plan.

Mr. President, I shall not here undertake to discuss the fundamentals of the debenture. They are well understood. It simply means that as to the export of agricultural products abroad the exporter of those products shall receive, in the form of a Treasury certificate, an indirect bounty related to the rate of tariff duty on similar articles in order to raise his price, and in order

at least in a measure to equalize the disadvantages under which he suffers.

If the manufacturer, by reason of higher labor costs in America, by reason of higher capital charges, by reason of higher costs in all things that go into production, is to receive at the customhouse a bounty collected by law out of the pockets of all of the people for his own private benefit, why does not the same rule require that the American farmer who produces with higher labor costs, higher capital costs, higher costs of every character that go into production, when he meets the foreign competitor in other lands who enjoy advantages, shall be given an export tariff in order to equalize his costs of production?

That question never has been answered, and it can not be answered until the responsible authorities of this Government give the farmer the same standard of measurement as to his economic disparity as they are all too willing to give to the manufacturer and to the industrialist.

What is the answer?

The only answer that is ever urged to the export debenture is that it is "economically unsound."

Economically unsound! It is not economically unsound, according to these critics, to make the farmer pay more for what he buys, and give that increase in value to private parties, industrialists, and manufacturers; but it is economically unsound to give the same farmer an increase of his price and lay that cost upon the people of the United States.

Mr. President, Alexander Hamilton has been quoted in this debate over the debenture many times. I shall not consume your time now in reading again the statements of Mr. Hamilton; but Alexander Hamilton recognized the export debenture as just. He advocated it as being as justifiable in behalf of agricultural exporter as a tariff on imports is justifiable in behalf of the manufacturer; but in this bill the ruling spirits of the Republican Party have laid aside the doctrines of Alexander Hamilton for the doctrines of the junior Senator from Pennsylvania [Mr. GRUNDY], who testified so illuminatingly before the Senate committee, before he became a Senator, that his doctrine was that those who contributed to the campaign funds should receive their dividends in the form of tariff duties. Alexander Hamilton is spurned. The junior Senator from Pennsylvania is embraced.

Mr. President, Dr. Charles L. Stewart, a noted economist of the University of Illinois, has made a deep study of the agricultural export debenture system as it is in force and application in European countries. In an article entitled "Farm Relief Measures in Europe," delivered at the twentieth annual meeting of the American Farm Economic Association in 1929, and published in the *Journal of Farm Economics*, Doctor Stewart points out that in European countries export-import certificates on the export debenture system are in operation in the following countries:

Mark these references.

In Germany the debenture system is in force on a number of articles, including hogs and hog products and grain.

In Czechoslovakia and Sweden, which began the system in 1926, the system was in operation for a period of 24 months; and after that experimental period the system was continued.

In Austria and Latvia export-debenture certificates were introduced in 1929. In Austria, the system applies to live cattle, to wheat, rye, and oats.

In Poland the plan was introduced in 1924 on rice, and in 1929 on bacon, hams, and rice products.

I want to quote very hurriedly a table of export-debenture rates applicable in some foreign countries.

On wheat, Austria pays an export debenture of 11.02 cents per bushel; Czechoslovakia, 24 cents; Germany, 42 cents; Sweden, 27 cents.

On flour, Czechoslovakia pays 94.20 cents per hundred pounds; Germany, \$1.56; Poland, 45 cents.

On cattle and bacon and other products, appropriate rates are in effect.

What is the result, Mr. President? The result of the operation in Europe of these export-debenture certificates is to dump their exports into the world market with a premium from their home governments. The consequence is that the wheat grower who in Germany or Austria receives an export bounty certificate can sell his product in the world market at a lower level than the American wheat grower. The latter is thereby penalized to that extent.

Mr. President, I shall not be able to conclude all of the remarks that I had desired to make, because, on account of the pressure of time, other Senators desire to speak. To accommodate them I have, therefore, concluded to condense and curtail my remarks.

Let me say, in passing, that Doctor Stewart demonstrates that by the practice in Europe export debenture certificates have

not only stood the test, and have proven of tremendous advantage to agriculture, but that they form a permanent system of the agricultural relief programs of various European countries.

As pointed out a little while ago, there are \$9,000,000,000 worth of American farm products which receive no tariff protection whatever. I hold in my hand a statement of exports of some agricultural products. We export \$920,000,000 worth of raw cotton, \$350,000,000 worth of grain, \$207,000,000 worth of animal products, \$154,000,000 worth of tobacco, \$129,000,000 worth of fruits, \$30,000,000 worth of produce and feed, \$22,000,000 worth of vegetables—about \$2,000,000,000 worth of agricultural exports which can not compete on an equal basis with those produced in foreign countries, which receive not one dime of benefit under this tariff bill. Seven more billion dollars worth of farm products which are consumed here at home have no benefit under this bill because tariff rates on them are not effective because all are on an export basis.

In their campaign yearbook in 1928 the Republicans boasted, in an article devoted to agriculture, that the farmer gets free of duty his building brick, his cement, his lumber, his harness and his saddles, his boots and his shoes, his gloves of leather. What are these Republican authorities going to say to the farmer in 1930, when they have placed his building brick on the tariff list, when they have imposed a duty on cement, when they have increased the cost of his home through the duty on lumber, when they have added a tariff on harness and saddlery, when they have put on the dutiable list boots and shoes, which for years have never borne a duty, and the gloves which he wears on his hands bear an added tariff? On the pretext of aiding the farmer and stock raiser by the imposition of a 10 per cent duty on hides, a 20 per cent duty is levied on boots and shoes. The stock raisers do not want a 10 per cent duty on hides at the price of 20 per cent on boots and shoes. In my files I have statements from their associations to that effect.

Mr. President, let me say one word with reference to the flexible-tariff provisions. That question has been discussed at great length, and the Senate is advised as to its importance. The Congress of the United States, by the Constitution, is the only place where tariff laws can be enacted. They are fought out here in an open forum. Under this flexible provision, the forum of the people is to be exchanged for a back room in the Tariff Commission, where rates will be made in secret. A public trial of this question is to be transformed into a tariff star chamber proceeding in some bureaucrat's office.

Mr. President, the conferees on the part of the Senate knew what their duty was to the Senate. When they went into the conference, they were charged with the solemn responsibility of standing out for the debenture and of standing out for the flexible-tariff provisions of the Senate providing for tariff revision by Congress, but they went out with popguns, they hoisted the white flag before they met the enemy, they carried only wooden guns and tin swords. They made no real struggle in behalf of these two provisions, which were the very heart of the bill as drafted by the Senate.

Mr. President, we are approaching "Journey's End"; the tariff war has come to its close. The votes will soon be recorded. They have already been counted.

Republican Senators admit that the bill is a bad one. Upon the floor of the Senate they do not scruple to declare that it contains injustices and inequities. Yet, they will vote for it on the flimsy pretext that the President will correct its abuses, and if the President can correct one abuse under this bill, he can correct every abuse in every schedule of the bill, and if he can correct abuses in every schedule of the bill, then the President of the United States can write an entire tariff bill, which ought to be written here on the floor of Congress. I denounce such a doctrine. It is a doctrine of cowardice. It is a craven, cringing doctrine. It exalts the betrayal of duty. It degrades a high function of the Congress.

In the days of the decline of the Roman Empire the collection of taxes was farmed out to contractors who were clothed with power to enforce payment. That system was one of the most hated and despised in the history of governments, and was the prolific mother of greed and corruption. The Hawley-Smoot tariff bill provides a "farming out" by the Federal Government to manufacturers, monopolies, trusts, and great industrial corporations of the power to tax the American people. There is to be no accounting, no report of collections. Hundreds of millions of dollars in increased costs of living will be exacted. Most of such millions will find their way into the pockets of private parties—in increased dividends; in higher profits; in larger incomes.

Under the income tax law we pay our taxes once a year. Under this bill we shall pay taxes every day in the year—not taxes to support the Government, but taxes to enrich favorites and powerful patrons.

The farmer will be driven a little nearer to poverty. The consumer will either consume less or pay more for what he consumes. The wages of the American laborer will either buy less, or he will pay more than he has ever paid before. A Republican Congress will pass the bill. The American people will pay the bill. Campaign pledges have been thrown into the waste basket. Promises to the farmer have been thrown out the window.

Foreign trade will decline. Under the threat of this bill's passage it has already declined. We have negotiated a treaty as a noble gesture toward international naval disarmament in the interests of peace and good will. But, sirs, all battles are not fought with bullets and battleships. Economic struggles also bring hardship and suffering. Protests against the bill from foreign governments have poured into the Department of State, and are now before the Senate. Already there is agitation in Europe for the formation of a United States of Europe. With Europe behind the wall of a customs league, or the British Empire fortified by imperial tariff barriers, it requires no prophetic power to envisage disaster to American foreign trade.

Mr. President, I refuse to vote for a bill which both impoverishes my countrymen at home and increases the number of their enemies abroad.

Mr. SIMMONS. Mr. President, I wish to ask the attention of the Senate only for a few moments. It is my wish to speak calmly and without exaggeration and with due regard to the facts of the situation. Let me first refer to agriculture and the effects of this bill upon that industry. Candidly, I do not see how this bill can be of help to agriculture, the greatest and at the present time the most depressed of all our industries. The high duties which this bill places upon certain agricultural products, with the exception of sugar and wool, and a few other of the minor units, will be largely ineffective; in many instances totally ineffective, mere paper duties and in others only very slightly effective. The great staple crops of agriculture, wheat, cotton, tobacco, corn, will not be helped. Such of these products as are shipped abroad—and in the case of cotton, tobacco, and wheat, we ship a large proportion of what we make abroad, under this bill, without the debenture, which has been eliminated—must continue to be sold in this country at the prices of the world market, while the producers of these products will have to pay for what they buy the artificial prices in the domestic market resulting from a tariff wall of exclusion about to be erected around our country. With the debenture these industries would have received some compensations. Without the debenture this bill will be a blow, not a benefit, to these great major units of agriculture. Exclusive of the two industries I mentioned, sugar and wool, both of which will be benefited by the fact that we do not export either one but import about one-half of all we consume, the little relief that will come to agriculture will be more than offset, yea, many times more than offset, by the increased taxes and burdens which will be imposed upon the general farmer by reason of the excessive duties carried in the bill and levied upon those necessary things which they do not produce and therefore must necessarily buy.

Again, Mr. President, I do not see how this bill can help the manufacturing and the mining industries of our country except those great industries which are so thoroughly organized and consolidated that they are able by concert of action through combination and trust to limit production and fix the prices of their products sold in this market. Of course, that class of our manufacturers, and they represent by far the largest producers, can take full advantage of the tariff wall this bill erects and extract from the American people the price which they will thereby be able to demand, however unreasonable and extortionate it may be. Thus those who need no help, those who deserve no help, will be helped. Their number will multiply and wax great and powerful; powerful in the business world; powerful in the political world, until they become, as they are beginning to become, a menace to the stability of our constitutional, representative government.

These great dominating industries will in all probability limit their American production to the American demand in order that they may continue to take full advantage of the tariff wall. They will reap the rich reward of the high prices they will be able to demand in this market. They will content themselves with producing here only what the market requires. They will locate big factories in foreign countries, where labor is cheap, and there produce the products which under other circumstances they might produce in this country to supply the foreign demand for their products. Of course, this will be at the expense of American labor. This will be giving his job to foreign laborers. That has already happened to a certain extent. When this bill is passed it will happen to a much greater extent, in my judgment.

Mr. President, with the high tariff wall this bill will erect we can not expect foreign nations to buy our surplus products to anything like the extent they have been buying them heretofore, because we make it impossible for them to sell to us as heretofore. It is self-evident unless we buy their products they can not buy ours. We ought to know by this time that the outside world is in rebellion against the prohibitive rates of this bill and that if it becomes a law we may expect all sorts of retaliatory measures; we may expect a diminution of our trade with foreign countries; we may expect many of our factories that are now making money because of their large surpluses exported abroad to be forced to curtail their production and to discontinue their economic scheme of mass production and more nearly limit the amount of their output to the requirements of the United States.

America is an immense country; it is the greatest market in the world, but its consumptive capacity is not equal to its productive capacity; and to the extent that we curtail our exports, to that extent this bill will cripple many of our industries; to that extent it will produce a condition similar to that that once existed in China. For myself, I view this situation very seriously. I believe this bill is a serious menace to our industrial prosperity.

Of course, as I said, such manufacturers and other producers as are able to fix their own prices and limit their production and thereby demand of the American people the full amount of the high tariff duties carried in this bill will be able to control the domestic market and to reap great profits and at the same time supply their foreign trade through factories owned and operated by them in foreign countries and worked by foreign labor. These particular organizations will be benefited by this bill, undoubtedly. They are the great monopolies against which we all inveigh that are turning out millionaires day by day and that are making exorbitant profits, while the people are barely able by the practice of the most rigid economy and frugality to live. These corporations will be benefited, no doubt; but what will be the effect on labor if these things which I have predicted should happen?

What is there in this bill for the laboring man? I mean the man employed in the mills and factories and in the mines? He thinks it will stimulate business here. It may to the extent of supplying the domestic market, but when the foreign market for the surpluses of our factories and mills and mines is destroyed a curtailment of labor necessarily follows. The whole country will suffer, but labor will be the chief sufferer.

Mr. President, I wish to refer but briefly to another possible sufferer from the conditions which I have tried to picture and predict, and that is the railroads. The railroads are great employers of labor; they are great purchasers of the products of our factories and our mines. They are now reasonably prosperous. Their prosperity lies in the long haul. The larger part of their long-haul business grows out of the hauling of our large exportable surpluses from the point of production to the port of exportation and in hauling the vast imports into this country from the point of debarkation to the point of ultimate consumption. If our import and export activities and business are curtailed and diminished, one or both, by the wall which we are about to throw around our country and the retaliatory measures we are almost certain to invite from our foreign customers, both buyers and sellers, the railroads will be among the largest sufferers; the railroads and the great army of men employed in this great industry.

Taken as a whole, considering the probable diminution of our foreign export and import trade and the necessary curtailment of activities in all lines of industry, manufacturing, agriculture, mining, as a result of the practical embargo which I feel confident will result from the rates proposed, this bill, instead of helping labor, will prove to be one of the greatest unemployment measures that ever passed the Congress of the United States or the legislative body of any country. I honestly believe that so far from helping labor this bill will be a staggering blow to this worthy class of our fellow citizens.

But of all those who will suffer by the passage of this bill, the greatest sufferer will be that class that may be characterized as the general consumer; those who do not produce, but consume what is produced. For instance, those who live on wages and salaries and fixed income. They will be the victims of such exploitation as will follow from the command of the American market by the great trusts and combinations who are able to fix prices and to take full advantage of the excessively high protective rates in this bill and to exploit the people to the limit of the protection wall this bill will erect. Among the victims will be the farmer, the man who makes the great staple crops of our country; the man who must export a large part of that which he produces and who must sell his products

in the American market at the same price which he receives in the markets of the world for that part exported. He will be the most helpless victim. The bill offers him absolutely no relief and no hope. With the debenture it would have been different, but that has been ruthlessly cut from the bill, at the demand of what we might call big business, at the demand of those who wanted cheap food and cheap raw materials. It is a tragedy. There are a few farmers producing the minor commodities who would get some benefit out of this bill, especially those living on the borders of our country; but whatever benefit they get will be insignificant compared with what they will have to pay for it if the bill should become law.

Mr. President, I said I only wanted to state a few propositions. I have stated them in the main. I think the condition of the farmer, if the bill is passed, instead of growing better will necessarily grow worse. If I were to exercise all the ingenuity of my mind to that end, I do not see how I could devise a plan which in my judgment would be more against agriculture than the present bill, with the debenture left out. It will not, in my judgment, help the manufacturers, except the class I have mentioned. The balance of them, unless they can by some means or other reduce their production to the American demand, can not hope to be benefited. They can not look, as heretofore, to foreign markets. The door to these markets will be, certainly in large measure, closed to them. We have at least been warned in advance that they would be thus closed, whether we heed that warning or not.

I want to warn the railroads that the prosperity which they have been enjoying during the last few years, growing largely out of the long haul, will come to an end if our foreign trade declines and dwindles as I believe it will. It is rapidly declining now and will decline more rapidly after the bill has become a law. I want to warn the laboring people of the country that the bill is the most injurious legislative act, so far as their interests are concerned, that ever passed the threshold of the Senate. To obtain one additional worker on articles now imported, a dozen now working on articles exported will be sacrificed.

I want to remind the Republican Party, which will be responsible for the passage of the bill, that we have now a deplorable condition of business depression rapidly becoming nationwide. The people are in financial distress such as I have never witnessed in my 76 years of life in this world. I have lived through panics. I have passed through periods of depression. I have never seen anything equal to that which exists to-day. If this bill is passed—and this is my last prediction—in my judgment the climax will soon come, and that climax will be one of the most disastrous business debacles that has ever befallen this country.

I have felt it my duty to give expression to these general thoughts, Mr. President, because after much deliberation and much thought, but without any feeling or without any passion, these are the conclusions which I have reached. I wanted to express them to the country. I am willing that the future may pass judgment upon the correctness of the opinions and views which I have just expressed. Sincerely I hope the predictions of probable disasters which I have felt impelled to predict may not befall us, and that results may not justify my fears and predictions.

Mr. ROBINSON of Arkansas. Mr. President, may I ask how much time is remaining for use of the opponents of the bill? Pending the answer to that question may I inquire of those in charge of the bill how many addresses are expected to be made in support of the measure?

Mr. McNARY. Mr. President, it was arranged this morning, I think, agreeable to the pleasure of the Senator from Arkansas and others, that the Senator from Texas [Mr. CONNALLY] would speak and would be followed by the Senator from Idaho [Mr. BORAH].

Mr. ROBINSON of Arkansas. I inquired of the Senator how many addresses are to be made in support of the bill. Manifestly it is not a proper arrangement to have all speeches in opposition to the bill made now, and then all speeches in support of the bill made later. The arrangement to which the Senator is referring has little relation to the question I am asking.

Mr. McNARY. I thought the Senator wanted a full and complete answer to his question.

Mr. ROBINSON of Arkansas. I do not wish to take up all of the time remaining for the opponents of the bill in a discussion of this nature.

Mr. McNARY. Very well. The Senator from Indiana [Mr. WATSON], I think, intends to make the concluding speech in behalf of the bill.

Mr. ROBINSON of Arkansas. That is the answer to the question. If there is only one speech to be made in support of

the bill I concede, so far as I am concerned, that the proponents of the bill are entitled to close the debate.

The VICE PRESIDENT. There are 24 minutes of time remaining for those in opposition to the bill.

Mr. ROBINSON of Arkansas. I do not know that I am justified in taking any considerable portion of that time in order to express my views concerning the measure.

The VICE PRESIDENT. The Senator from Arkansas is recognized.

Mr. ROBINSON of Arkansas. Mr. President, the Senate has labored for more than a year to revise the tariff. The result is a bill about which Senators are soon to reach a final conclusion.

The measure is a disappointment to its supporters. Undoubtedly that statement is true. I read the headlines in the New York Times of this morning:

REED and GRUNDY assail but accept tariff bill. Passage is now expected.

If time permitted I should like to make liberal comment on that headline or on the facts upon which it is based.

The Senator from Indiana [Mr. WATSON] in a prolonged and prepared speech the other day took the position that the bill constitutes a mere partial revision of the tariff in strict compliance with the rule laid down by the President in his message to Congress when he suggested revision of the tariff as a measure of farm relief.

As a feature of the administration's farm-relief program, the pending bill is an abortion. Instead of promoting the prosperity of agriculture, it perpetuates and intensifies the inequalities and discriminations between agriculture and other industries. For this reason the measure violates the 1928 platforms of both major political parties.

If the commonly accepted rules of construction be applied to the President's message to Congress April 16, 1928, when the extraordinary session convened, it is clear that the principles for revision which the President suggested have been disregarded. Senators have all become familiar with the Chief Executive's declaration, which I quote:

In considering the tariff for other industries than agriculture, we find there have been economic shifts necessitating a readjustment of some of the tariff schedules \* \* \*. It would seem to me that the test of the necessity for a revision is in the main whether there has been a substantial slackening of activity in an industry during the past few years, and a consequent decrease of employment due to insurmountable competition in the products of that industry.

The action of the majority Members in both branches of Congress proceeds upon a different theory. The House opened every industrial schedule. Notable revisions upward were the result. Unquestionably there has been a slackening of activities in nearly all industries. Business conditions are generally unsatisfactory. The country is not enjoying prosperity. For the first time in a prolonged debate we hear no Republicans in this Chamber boasting of the prosperity which their administration of the Government has brought to the country.

Sales have fallen off. Production has diminished. Profits have been reduced. Bankruptcies are numerous. The return of good fortune to bless and quicken the activities of our people, foretold by the President and the Secretary of Labor in numerous public announcements during the stock-market panic, has not been realized.

Now we are told that what is needed to dispel the clouds and bring the sunlight is the passage of this bill. The hour will soon strike when the vote is to be taken. Undoubtedly it will be helpful in some degree to have the issue determined.

The debate on the bill has been signalized in a peculiar manner. No champion of a special interest which benefits by high protective duties has boasted that the country is prosperous as a result of Republican policies and measures. They satisfy themselves with the "whispering hope" that bounteous returns from labor and from investments will follow to all industries when the tariff has been revised—when the President signs the bill.

In this connection it seems appropriate to summarize some of the effects which may be anticipated if the bill becomes effective:

First. It will leave agriculture in a worse condition than at present. The benefits promised from the revision of agricultural rates are likely to be more than offset by the enhanced costs of manufactured commodities. Instead of restoring the equality of agriculture with other industries, the new law will be calculated to widen the discrimination against the former.

Second. The bill taxes a large number of articles of common consumption and imposes excessive rates, raising the general level to 41 per cent of the value of all dutiable imports and

increasing the cost to consumers by more than three-quarters of a billion dollars per annum.

Third. More specifically, the increased burden upon consumers will be brought about by increased costs of clothing, wool and cotton fabrics, hats, gloves, shoes, and other articles and materials of wearing apparel.

Fourth. Construction material and housing costs will be augmented by the duties on lumber, cement, brick, wall board, paint, flooring, and tiles.

#### SUGAR

The Tariff Commission found a substantial decrease justified in the sugar duty through the investigation of the difference in domestic and foreign costs of production.

The House bill increased the present duty on raw Cuban sugar from 1.76 cents per pound to 2.4 cents per pound. The "coalition" in the Senate succeeded in reducing this rate to 2 cents per pound. Even this increase will add millions to the tax on this indispensable food product.

#### CEMENT

Cement is taken from the free list and made dutiable at 6 cents per hundred. This will add \$40,000,000 to the cost of highway construction if the imports of 1929 be taken as the basis for calculation.

The Senate amendment exempting from duty cement for public works has been eliminated. The tariff on cement will add hundreds of dollars per mile to the construction cost of public roads and streets. It will prove burdensome to every home builder in the United States. This enormous increase in construction expenses is imposed for the protection of areas on the Atlantic seaboard where cement manufacturers complain of Belgian imports to the amount of 1,720,000 barrels compared with the domestic production of 170,000,000 barrels.

These illustrations are sufficient to emphasize the conclusion that the revision contemplated by the bill respecting industrial rates is general and is not limited to industries suffering from "insurmountable competition."

The Senator from Indiana [Mr. WATSON] insists that it has taken almost a year and a half to make a partial revision of the tariff in the interest of the prosperity of agriculture. I should like to inquire of him and his followers what length of time would be required to effectuate a complete or a general revision of the tariff.

The bill finds little support among business men. Even the Senators from Pennsylvania are half-hearted in their support. There are, of course, groups whose demands or wishes have been recognized, and who quite naturally regard the revisions carried as wholesome. The measure has been condemned generally by students of political economy. It has been protested under circumstances which indicate the probability of numerous retaliatory measures by foreign governments. It will result in embargoes as to some articles which are produced only in limited quantities in the United States.

This bill is far more likely to prolong than to end the business depression from which our country is suffering.

I ask unanimous consent to have printed as a part of my remarks a forceful and convincing statement in a telegram which I have received from Hon. John J. Raskob, the chairman of the Democratic National Committee, relating to this bill.

The VICE PRESIDENT. Without objection, it is so ordered. The telegram is as follows:

NEW YORK, N. Y., June 12, 1930.

Senator JOE ROBINSON,

United States Senate, Washington, D. C.:

The margin between national prosperity and adversity is small, estimated in economic percentages. One unwise legislative enactment would be sufficient to compass serious disaster in the present state of industry and commerce. The danger line is even narrower than usual. The pending tariff bill inevitably will cripple our foreign trade and will not be helpful to domestic business except in a few isolated instances, and is generally adverse to the commercial structure of the United States and to agriculture as well. Moreover, the flexible provision embraced in the bill means the continuance of the deplorable processes of lobbying and logrolling as the method of accomplishing the settling of rates which ought to be purely an economic and not at all a political problem. Transferring the lobby pressure to the executive branch of the Government is unfair to the President and will tend to increase rather than decrease the recurring scandals of tariff revision. What ultimately must be accomplished is the establishment of scientific means of arriving at just schedules. The mutations in manufacture, distribution, and trade costs should be met by such a system as was offered by the Simmons-Norris amendment, under which Congress would consider the recommendations of a nonpartisan body of experts and limit its revision to the particular rates on which that commission would report from time to time. Then, indeed, would the tariff be taken out of politics and dealt with on an economic basis. It is unnecessary to emphasize

the perfectly plain principle that when we make it difficult for our people to buy the products of other countries there is corresponding diminution in both the desire and capacity of these foreign countries to purchase what we produce. Now, if our foreign commerce is seriously interfered with, as it must be by the enactment of the pending bill, the market for our manufactures and raw materials will be gravely impaired. The certain result of such a curtailment of our commercial activities is to prolong the present business depression. Defeat of the measure, which some people affect to believe would further disturb business, will really have just the contrary effect. The greatest service that Congress could render business would be to vote down the bill. It is a question of both parties. Political consideration should not enter into it. The comfort and welfare of millions of our people are at stake. I do not think I am going too far when I express the belief that the making into law of the measure now before Congress will tend to counteract the strenuous efforts which have been made to lift the country from the depression which has been our portion for more than half a year. This will in turn involve greater unemployment and eventually serious cuts in wage rates, thus undermining and upsetting the high standard of living secured and now established in our country.

JOHN J. RASKOB,

Chairman Democratic National Committee.

Mr. BORAH. Mr. President, the great interest which I have had in this proposed tariff legislation from the beginning, dating back long prior to the call of the special session, has been in behalf of agriculture. It did not seem to me that there was any necessity or any justification for revising tariff rates on industrial commodities. We ascertained in the beginning of this debate that the manufacturers of the country were enjoying something over 97 per cent of the home market; that, as a practical proposition, they were enjoying the home market in its entirety; and therefore there was no justification, as it seemed to me, under any reasonable theory of protection, to increase industrial rates.

On the other hand, the condition of agriculture had been such as to attract the attention not only of Congress for the last several years but to attract the attention of both political parties, and both political parties, conceding the unfortunate and deplorable condition of agriculture, pledged themselves to the remedying of those conditions. The Republican Party in 1923 said:

The Republican Party pledges itself to the development and enactment of measures which will place the agricultural interests of America on a basis of economic equality with other industries to insure its prosperity and success.

That was the statement in the Republican platform, and the principle enunciated by the Democratic platform was no different.

We conducted a great campaign in which one of the dominating issues was that of placing agriculture on an equality with industry. It was conceded that the task was before us. No one contended that there was equality. It was admitted that the problem was here, and both parties were pledged to its solution. Now, at the close of these nearly 18 months of effort, the great question which we may ask ourselves is, How far have we gone in placing agriculture upon an equality with industry; to what extent have we fulfilled or kept the most solemn pledge that parties ever made to a distressed people? In my opinion, speaking sincerely, we have not made as yet any progress whatever in restoring equality.

I am aware of the legislation—I do not disregard it in speaking now—which is known as the farm relief legislation, under which the Federal Farm Board was created. I do not say to-day that the Farm Board may not accomplish something in the end. I recognize the ability and the sincerity of the gentlemen who are in charge of the Farm Board, and I have no desire here to impeach either their integrity of purpose or their capacity as men. Certainly, some of them have had past experience in lines which ought to fit them for the particular work in which they are engaged, and in the end there may be something accomplished; at least I hope so; but so far, in my opinion, not one additional dollar has gone to the benefit of the farmer by reason of the activities of the Farm Board. We have not progressed sufficiently far to increase the price of the farmers' products, and all the remedies in the world which the human mind can conceive will, so long as the prices of the products of other industries are what they are at the present time, never bring relief to the American farmer unless they can provide an increased price for his products. So I say, Mr. President, without stopping to discuss the question at length, that in that respect, in my opinion, we have not thus far accomplished anything in the fulfillment of our pledge. I do not say that we have not undertaken to do so, but we can not yet record a result.

Coming to the tariff bill, it is true that in the pending bill we find increases of rates upon agricultural products; and it is true, in my judgment, that if the rates on industrial products had been left where they were we would, to some extent, have fulfilled our pledge to the American farmer. We have placed duties upon agricultural products, but, as I will undertake to show, if I have the time, we have placed correspondingly increased duties upon those commodities which the farmer must buy; so that, when we come to measure the degree of the farmer's equality with industry, I see no difference between his situation prior to the enactment of the pending tariff bill, if it shall be enacted, and following its enactment.

As an illustration of what I have in mind—and I could cite other illustrations if I had the time—let us take cement. The farmers of this country use about 18 per cent of the cement which is consumed in the United States. Cement is an item of very great moment to our farmers. A duty upon cement is effective; there can be no possible doubt of that, I think. The duty on cement laid by this bill will be collected and enjoyed by the cement manufacturers of the United States. That is not true with reference to many of the duties levied upon agricultural commodities, for, in the absence of the debenture, they will not get the benefit of them; but in this instance with reference to cement the duty will be effective. The farmers will pay an additional amount of something like \$16,528,000 for their cement by reason of the duty levied upon that commodity by this bill. That item alone will subtract from the benefit which the farmers might otherwise enjoy under this bill an amount which will far exceed the benefits which may accrue to them by reason of the duties levied on wheat or corn or similar commodities.

Upon what possible theory of protection or justice is a duty placed upon cement? It is a monopolistic, price-fixed commodity from one corner of the United States to the other. The manufacturers of cement are in a position to avail themselves of every red cent of protection afforded by the tariff duty levied by this bill. Let me read from a paragraph of a report made by the Legislature of the State of California to show how thoroughly the manufacturers of cement control the price and how thoroughly they have an understanding from one end of the country to the other. Here are some of the bids submitted by cement companies:

The Henry Cowell Lime & Cement Co. made a bid in a certain city of \$2.71 a barrel. The Calaveras Cement Co. made a bid in the same city at the same time—this was a case of competitive bidding—of \$2.71 a barrel. The Pacific Portland Cement Co. submitted a bid at the same time in this competitive bidding of \$2.71 a barrel. The Santa Cruz Portland Cement Co. made a bid of \$2.71 per barrel, and the Yosemite Portland Cement Co. made a bid of \$2.71 a barrel. In this instance a city in California was seeking to secure cement under competitive bidding, and they got it; every company that entered the competition submitted a bid of \$2.71 a barrel. Yet, notwithstanding that condition of affairs, and with that kind of an industry, thus controlled and monopolized, the committee has seen fit to place a high duty on cement.

Let me take another illustration. In another city the Henry Cowell Lime & Cement Co.'s bid was \$3.35 a barrel; the Calaveras Cement Co.'s bid was \$3.35 a barrel; the Pacific Portland Cement Co.'s bid was \$3.35 a barrel; the Santa Cruz Portland Cement Co.'s bid was \$3.35 a barrel; the Yosemite Portland Cement Co.'s bid was \$3.35 a barrel.

Here is an entire page, covering a great number of cities scattered up and down the Pacific coast, in which these companies were bidding for the public work in the respective cities, and there was not a fraction of a cent difference in any of the bids. They are in a position to raise the price, and for this the farmers will pay more than \$16,000,000.

My friends, upon what possible theory can you put into the pockets of the cement companies this increased sum when it must necessarily come, to a large extent, out of the pockets of the agricultural interests of the United States? That is the radical defect of this bill. It runs all through the bill. The farmers would have been thankful for some of the agricultural duties in this bill. The farmers would have enjoyed the benefit of the protective tariff under this bill to some extent; but in this instance they have to pay for it to such an extent that their inequality rests where it was prior to the enactment of the law. More is taken from them than they can possibly receive. Is this keeping our pledge to restore equality?

One other thing: The increase of the duty on shoes will amount to \$78,432,000 to the agricultural interests of the United States.

Where is the duty upon agricultural products effective—not the duty which is published and which upon its face appears

to be beneficial to a certain extent—but where is the duty effective which takes care of these increased costs.

Then we have the increased cost of furniture that will cost the farmers \$33,000,000; the increased cost of forks, hoes, and so forth, \$2,000,000; and so on running down the line. This bill is a broken pledge so far as agriculture is concerned.

My friends, how are we going to remedy that situation? We may put ineffective duties as high as we please. They never will establish equality against effective duties, as is undertaken to be done in this bill. It is for that reason that some of us believe that we never will have equality between industry and agriculture under the protective-tariff system other than through a debenture plan. There is no way by which to make the farmer's duty effective, in a multitude of instances, save by the debenture.

It is said that we as a party are opposed to the principle of debenture, and therefore we can not accede to it, although the argument may support the necessity of it. But, Senators, we have pending in the Senate now a bill which will undoubtedly receive the support of the Senate and, I understand, has received the approval of the administration, which is based upon no other principle in the world than that of the debenture. We are granting subsidies in this pending bill. We are proposing to exercise and utilize precisely the same principle that we are invoking with reference to the debenture in agricultural products. In view of the increased duties upon these products, how are we going to make the tariff effective upon agriculture except through the debenture?

For the sake of the argument, let us concede that it was necessary to increase the duty upon shoes. Let us concede that it was necessary to increase the duty upon forks, hoes, and so forth. The fact that it was necessary does not change the relative position of the agriculturist and the industrialist, because the industrialist gets the benefit of the tariff, and the agriculturist does not unless the debenture principle is invoked.

Just a word—and I think I have already trespassed upon the courtesy of the Senator from Indiana too long.

The VICE PRESIDENT. The Senator has seven minutes remaining.

Mr. BORAH. I thank the Chair.

It is said that this bill, with its iniquities—if I may use that term—with its mistakes and its errors, will all be corrected under the flexible provision of the tariff. Language is inadequate to express my surprise at that contention. We have had a flexible tariff from 1922 to 1930. In what respect, in what instance, did the Tariff Commission, through the President, change the relationship of agriculture and industry in those eight years? In what respect, to what extent did it restore equality? At the end of eight years the inequality was greater than in the beginning. Heaven pity the farmer if his only relief is to come in that way.

After we had had it upon the statute books for six years, and after it had been in operation and they had been dealing with both agricultural products and industrial products, the inequality was so pronounced and getting worse that both parties made pledges to remedy it. More rates were increased upon industrial schedules than upon effective agricultural schedules; and they dealt with how many during that time? There are 21,000 items in this bill, and about 10,000 that ought to be overhauled, undoubtedly. How long will it take the Tariff Commission, operating as speedily as it did from 1922 to 1930, to finish the job? Nearly 100 years.

What will happen is that the relationship, the relative position of agriculture and of industry, will remain precisely the same under the Tariff Commission's activities. Doubtless they will make some changes; but unless they have the power to invoke the principle of the debenture they never can establish equality between the two industries. There is no means by which it can be done by mere rate making. As I have said before upon this floor, those who organized and created the protective system understood that perfectly; and it is just as true to-day as it was at the time it was first promulgated.

I ask, Senators, in conclusion, how are we going to fulfill the pledge which we made at Kansas City, and restore equality between agriculture and industry, without the application of the debenture system? If we increase the rate of agriculture and correspondingly increase the rate of industry we get nowhere. It makes the farmer the burden bearer of the whole protective system.

Therefore, Mr. President, the great disappointment in regard to this bill is, first, that we increase these industrial rates, and, secondly, that we refuse to write into the bill the only fundamental principle by which we can restore equality between agriculture and industry. That is no ordinary problem. There

is not a country in the world to-day of which I have any knowledge where agriculture is not struggling for existence—not struggling for prosperity but struggling for existence—and it is by reason of the fact that they are applying the world over a system which is effective as to industry and which is not effective as to agriculture. The fight must go on. A system must be adopted which will wipe out this injustice. I can not vote for a bill which perpetuates and legalizes this inequality. I can not vote for a bill which does injustice to a large portion of our people by placing them at a confessed disadvantage with others in our economic system.

Mr. SCHALL. Mr. President, the sound reasoning and the statement of facts in the speech just delivered by my friend the distinguished Senator from Idaho [Mr. BORAH] are unanswerable, if you are to consider this tariff bill in the light of a bill to give parity with industry to agriculture, which Congress was called in extra session to do. Parity of agriculture with industry was the promise of the Republican platform. It was the promise made by our President. This bill as it stands to-day fails to keep these promises. I found myself thoroughly in accord with every statement uttered in Senator BORAH's preceding speech, and if time permitted and I had the ability I should like to put forth the arguments therein presented, which to me are indisputable and are sufficient reason for any western Republican to vote against this bill.

Away back somewhere in past time undoubtedly fate and GRUNDY decreed that the Senate of the United States should vote for this monstrosity of a tariff bill to-day, Friday, the 13th. The date itself is ominous, and it seems to me the passage of this bill is ominous to the Republican Party. The passage of the bill certainly is ominous to any western man who votes for it; and in defense of myself against the wrath of the people of this country I am going to vote against it.

Had the debenture plan remained within the bill, the tariff would be in some degree effective to the farm industries. Without it, it is simply handing the farmer one dollar with one hand and taking from him something between six and seven dollars with the other.

I am a Republican and believe in a protective tariff, but I believe that that tariff should be only such that would equalize the cost between production at home and abroad. I believe that such protection should go equally to every industry in the country, including agriculture. This bill goes far beyond equalization of cost, goes beyond the Fordney-McCumber tariff bill, which at the time it was passed its supporters argued and openly stated that the tariff was too high, but that owing to the unequal fluctuations immediately after the war it was necessary to place it at those figures, and that the flexible-tariff clause which it contained would be used to lower, not raise. The flexible clause was used only to raise. The present bill in some instances exceeds the Fordney-McCumber bill by 4,000 per cent raise.

Had the debenture clause remained in this bill it would have made effective one-half of the tariff to surplus farm products. As the bill stands, surplus farm products have no protection, and, therefore, the farmer who produces them has no protection. His goods are sold on a world market and with the passage of this bill he has just so much more added expense to the things he buys and will enjoy that farm relief promised by the Republican Party in that he will be relieved by this bill of anything further he still has. The Republican Party promised parity between agriculture and industry. The President called an extra session of Congress for that purpose. This tariff bill without the debenture gives the farmer nothing and takes from him more than does the tariff bill under which we are operating to-day.

The farm bill which was passed in lieu of the Republican and Democratic Party promises to bring relief to agriculture has brought no relief, the farmer is worse off now than he was at the time of its passage. I voted to put the debenture plan upon that bill, and felt at the time that without the debenture plan or the equalization plan, or some similar plan that it could not and would not bring relief to the farmer. This tariff bill was then taken up to relieve the farmer still further, and in my opinion it does along the same lines as the farm bill did.

I worked, spoke, and voted to secure equality between agriculture and industry and did not miss a vote during the entire year and a half it has been under consideration. Untiringly, I worked that the debenture clause might be a part of the tariff bill, but with the coming of GRUNDY into the United States Senate, I saw the coalition of farm Senators go down in one fight after another by 1 or 2 votes. I predicted upon the very day that this Senate unseated Mr. VARE that it would seat Mr. GRUNDY, and within a few days my prediction came true. I predict to-day that any Senator who should be representing agriculture and does not vote against this monstrosity will find

tough sledding in explaining his vote to an agricultural community.

Therefore, I can come to no other conclusion in representing the people of my State than that I should vote against this bill and that a coalition of the farmers' friends in this Senate, regardless of party should continue to band together and keep aloft the flag of farm relief until it secures just legislation that will give it a parity with eastern industry.

I hope the fight has just begun. As it appears to me to-day it is the battle of western industry against eastern, it is the battle of the worker against the minions of Midas, it is the tiller of the soil against the commercial East, it is progressivism against Grundyism. I have no doubt on which side a north-western Republican Senator should cast his vote, and I therefore shall cast my vote against this bill.

Mr. WATSON. Mr. President, after 17 months of time the tariff bill is about to be voted on in the Senate of the United States.

The Ways and Means Committee of the House of Representatives began the consideration of this measure on the 8th of January a year ago, so that nearly a year and a half has elapsed since they began its consideration. We have had the tariff bill in the Senate for seven months. My friend from Arkansas [Mr. ROBINSON], the able leader of the minority, a while ago asked the question, If it takes that long to give a limited revision of the tariff, such as I said a few days ago we were giving, how long would it take the Senate of the United States to give the country a general revision?

The answer to that is not far to seek. After 18 weeks of deliberation over the measure last summer the Republican members of the Finance Committee reformulated and redrafted the bill and brought it into the Senate. We were willing at that time to pass that bill. We are not responsible for any delay that has happened between then and now. We are not responsible for the long debate, if such it may be called, that has occurred in this length of time. That was furnished altogether by the opposition.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Indiana yield to the Senator from Arkansas?

Mr. WATSON. With pleasure.

Mr. ROBINSON of Arkansas. I am wondering if the Senator from Indiana makes that suggestion with a view to expanding the practice that has prevailed, under which tariff bills originally are formulated by the administration's representatives in the House and Senate. In other words, I wonder if the Senator from Indiana really feels that the time for the consideration of a tariff bill ought to be limited to that very small period when the representatives of plunder and privilege may get together and agree on what they will take from the public in the form of increased tariff duties?

Mr. WATSON. Mr. President, I am not complaining about the time. It is the Senator from Arkansas who is complaining about the length of time. I am not saying that tariff revision should be confined to a few weeks, or even a few months. The Senator is complaining about that and asks, If it takes that long to get a limited revision, how long would it take to give an unlimited revision? I was simply responding to his suggestion by stating that the opposition is responsible for that situation and not the proponents of this measure.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator indulge me further?

The VICE PRESIDENT. Does the Senator from Indiana further yield to the Senator from Arkansas?

Mr. WATSON. Certainly.

Mr. ROBINSON of Arkansas. My question was intended as a suggestion to the Senator from Indiana that the almost one year and a half that the Congress has taken in order to bring this bill to the point of final passage was an indication that the task undertaken was a very broad one; that the revision actually attempted was general, rather than partial.

I am not particularly complaining about the length of time. I think the country would be better off if we would never pass this bill. I do feel, however, that the time has arrived when a conclusion ought to be reached concerning it.

Mr. WATSON. Mr. President, a few days ago I spoke on this floor, and set forth a statement in detail of the fundamentals involved in this tariff bill from the agricultural and nonagricultural standpoint, showing, in accordance with conclusive and undenied and undeniable figures, that the nonagricultural rates, in the aggregate, had been increased but 6.75 per cent, while agricultural rates, on the contrary, had been increased 93.75 per cent. I made the statement then, which I repeat now, that this fills the prescription of the President of the United States when he called the special session together, largely for the pur-

pose of revising agricultural rates, and caring only in a tariff way for those industrial rates which were suffering from foreign competition.

There are now some other phases of this discussion which I desire to take up, phases which are brought to light in the passage of every tariff bill. There has been no alteration in the last hundred years in the method of attacking tariff legislation. The methods are always the same and, in some respects, those who attack and those who assail have every advantage, because of modern publicity methods, of those who defend.

Two courses always are open to those who are the proponents of a tariff measure. The first is to permit the opponents of the proposition to do all the talking, and in that way promote the speedy passage of the measure. The other is to answer everything that is said and every argument that is made, and in that way greatly prolong the discussion and delay the passage of the tariff bill. Always the proponents of tariff measures have chosen the former course, because, while a tariff bill is under discussion, business lags and industry falters. The manufacturer knows not how much to buy. He has no idea what the market of to-morrow will have to furnish, or what the price is to be, and is more or less in a fog of uncertainty. Therefore an undue prolongation of any tariff discussion leads more or less to business depression and to commercial uncertainty in the land.

It has been so in the case of every tariff bill that has ever been passed, it is so with this one, and it is my prediction to-day, deliberately made on the floor of the United States Senate, that after the passage of this bill this afternoon, the skies will clear, and within a comparatively brief time the sun again will shine, and bring back prosperous conditions and happy days to the people of the United States. If I did not believe that to be true—and it has proved true in the passage of every tariff act in the history of the Nation—I would oppose this bill instead of favoring it.

Mr. President, these bright and alert gentlemen in the press gallery have noses for news. They know what they want. They know what their newspapers want, and they know how to get it. They know that the antagonistic is read everywhere in the United States. If I stand on this floor and say that Senator A is a scoundrel and ought to be impeached, that appears on the front page of every newspaper in the United States to-morrow. If I stand here and say that Senator A is a gifted statesman and a noble patriot, it is never mentioned.

The opponents of this measure have taken advantage of that modern situation. The newspapers say the people want that sort of thing, and they give them what they want, and the alert boys in the press gallery know what they want, and they get it, if it be obtainable.

Therefore, when a man stands on the floor of either the House or the Senate and says that this tariff bill is infamous, that it is outrageous, that it is the sum of all villainies, that it is the combination of all evils, that goes everywhere in the United States. But if I stand up here and say that this is a wise and a just measure, that it will reopen dead factories, that it will reemploy idle men, that it will restore prosperous conditions in the country nobody reads it, because no newspaper carries it, and, hence, the only way a tariff bill can justify itself is by its passage and its operation.

My friend the senior Senator from Utah [Mr. SMOOT] was the one man who stood up to defend the rates in this tariff bill. Everybody else kept out of his way. In the first place, he knew more about it than anybody else. He wanted no help; he needed no help; he got no help.

Mr. HOWELL. Mr. President, will the Senator yield?

Mr. WATSON. I yield.

Mr. HOWELL. Does the Senator defend a duty of 20 per cent on shoes, which means a possible increase in the shoe bill of this country of \$285,000,000?

Mr. WATSON. My dear friend the Senator from Nebraska might just as well ask me if I defended the number of crawfish holes along the Potomac River. What on earth has that to do with what I am talking about?

Mr. HOWELL. The Senator is talking about the tariff bill, and he is defending the pending tariff bill. Here is one single rate which can possibly increase the shoe bill of this country \$285,000,000—

Mr. WATSON. Which I do not believe, and which I dispute absolutely. Not only that, but why does the Senator interrupt me when I am engaged in a general discussion of the bill which has nothing to do with this particular item?

I say that if we had not protected the women's shoe industry in the United States, it would have gone out of business in this country, and we would be buying our women's shoes altogether from Czechoslovakia, paying the laborers in that country, opening the doors of the factories in that land, and closing them in our own. This is an American bill, it is not being passed

for the benefit of people in Europe, or of any nation outside of the United States.

As I was saying, the Senator from Utah defended the tariff bill and all its rates. He argued each one of them meticulously, down to the details, and yet very few of the arguments were carried in the papers, because he used facts and figures and arguments.

Mr. President, a singular thing happened in the history of this tariff bill. The day after it was reported from the Ways and Means Committee the very able publicity bureau that was set up by the Democratic Party began to issue its blasts against the bill, when it was not possible for that bureau to have had much information concerning it, for its consideration had been carried on in such secrecy by the committee that even other Members of the House could not ascertain what its provisions were. But the Democratic publicity bureau said, "This is an iniquitous tariff, it is illogical, and inequitable, and un-American, and unholy." They kept up those blasts against it day after day and week after week and month after month. The proponents of the measure offered no suggestions, because if a man says a tariff bill is infamous and illogical it takes a speech to combat it and show that these charges are not true.

Mr. BROOKHART. Mr. President, will the Senator yield to me?

Mr. WATSON. I yield.

Mr. BROOKHART. If the tariff bill puts a tariff of 42 cents a bushel on wheat which is not effective, and then the same people who put that tariff on vote down a debenture which will at least make it half effective, I say that is infamous.

Mr. WATSON. Of course, the Senator says it is infamous, and he is not going to vote for it; but the people in Iowa last week did not say it was infamous, because, by 83,000 majority, they nominated a man for the Senate who stood up and defended on every stump and in every speech he made the provisions of the Hawley bill as it passed the House, while the governor of the State, who was his opponent, made the battle against the tariff measure.

I had lunch yesterday with Mr. DICKINSON, who came over here for that purpose. He told me that that was the one issue in Iowa. On it he went to the people of that State. The governor attacked the tariff measure which had been passed, while DICKINSON defended it everywhere and every day. It was the sole issue, and on that alone the great agricultural State of Iowa gave Mr. DICKINSON 83,000 majority.

Mr. BROOKHART. Mr. President, will the Senator yield again?

Mr. WATSON. I yield.

Mr. BROOKHART. I would like to ask the Senator about this telegram:

MASON CITY, IOWA.

United States Senator SMITH W. BROOKHART:

*Resolved*, That we, the Consolidated Cooperative Societies of Cerro Gordo County, to-day assembled, deny that the victory of L. J. DICKINSON for nominee to United States Senate was in any manner an endorsement by agriculture of the pending tariff measure. By unanimous vote we request President Hoover, in the interests of agriculture, to veto the bill if passed by the Congress.

R. A. HOLMAN, Chairman Committee.

Mr. WATSON. I do not know who Holman is, and I do not care; but I know who L. J. DICKINSON is. I know he is the nominee of the Republicans of Iowa, by 83,000 majority; I know he ran in defense of the Hawley tariff bill; I know he made it the one issue in that great agricultural State, and I know he triumphed over his opponent and is to-day the nominee. Will the Senator say he will not be elected on that issue next November?

Mr. BROOKHART. I say he would have been defeated if he had voted against the debenture, but he voted for it. The Senator has forgotten that.

Mr. WATSON. Just as if the debenture had anything to do with that victory out there. He told me that he stood for the equalization fee. He said he voted for the debenture. But he did not place his campaign issue on the debenture. It was in defense of the Hawley tariff bill, saying that it was essential that the industries of this country should be opened in order that men may be employed, in order that American wages may be paid, in order that they might furnish a ready market for the products of the American farmer right at home, in our own land. That was the issue, the way he put it up. He told me so yesterday, and I suppose he had some knowledge about what he said in Iowa and about what the issues were.

Mr. HARRISON. Mr. President, will the Senator yield?

Mr. WATSON. I yield.

Mr. HARRISON. Will not the Senator now tell us what happened to Mr. McMASTER in South Dakota, and to Mr. GRUNDY in Pennsylvania, and what position they took on the tariff?

Mr. WATSON. Mr. President, James J. Davis is as much an advocate of the protective tariff as Senator GRUNDY ever was or ever will be. He has spoken for years and years in defense of it. He was born a poor boy in Wales, came to this country when only 7 years of age, went to work first as a puddler in a tin-plate factory, and that is where I first met him, in 1892. He came up from the ranks of labor. He knew all about the tariff question.

Jim Davis was a poor boy in Wales when we put a tariff on tin plate. At that time we did not make a pound of it in the United States, but we put a tariff on it, and you should have heard the wail of woe which went up from the floor of the Senate and the floor of the House when we put that tariff on tin plate. It was the "most infamous," the "most outrageous," the "most inequitable," the "most illogical," the "most un-American," the "most unholy" thing that was ever foisted on the American people. [Laughter.] That was repeated over and over again with damnable iteration all over the United States, and especially on this floor we heard the Chamber ring and ring and ring day after day and week after week about the infamies of that thing.

Listen! Within five years we had lifted up that industry in Wales and brought it over and set it down in the United States. We were making in the United States all the tin plate consumed in the United States, and we sent tin plate into Wales itself. In the meantime, we had brought those laboring people like Jim Davis over here and put them to work in the factories here, and paid them two and a half times as much as they received in Wales. They became American laboring men, they helped to furnish a market for the products of the American farmer. They had American homes, with American comforts in them, and American hope in their hearts. Is not that worth something? That man is a protective man just as much as the honorable Senator from Pennsylvania who sits behind me ever was in his life.

Mr. BROOKHART. Mr. President—

The VICE PRESIDENT. Does the Senator from Indiana yield further to the Senator from Iowa?

Mr. WATSON. I am glad to yield to my good friend from Iowa.

Mr. BROOKHART. I would like to ask the Senator if this benevolent tariff system he talks about is not the thing that caused 1,500,000 farmers in the United States since 1920 to lose their homes or their property by foreclosure?

Mr. WATSON. I will talk about that in a little while. I regard that as a legitimate question, and therefore I am surprised the Senator asks it. [Laughter.]

Mr. HARRISON. Mr. President—

The VICE PRESIDENT. Does the Senator from Indiana yield to the Senator from Mississippi?

Mr. WATSON. Certainly.

Mr. HARRISON. The Senator has not finished answering my question. He has told of the virtues of Mr. Davis, but he has not told about Mr. GRUNDY having helped to fashion the bill, and he has not alluded to Mr. McMASTER yet. What happened to him?

Mr. WATSON. Mr. McMASTER was nominated. I do not know that he had any opposition. If he did, I do not know anything about the opposition.

Mr. BROOKHART. He did not have any except a "stand-patter" against him.

Mr. WATSON. Evidently the "standpatter" did not organize his forces and did not know how to do business. I do not know anything about the vote up there. Mr. McMASTER told me he received 15,000 or 16,000 majority. That is all right.

Now, what about Mr. GRUNDY? My very eloquent friend, the Senator from Mississippi [Mr. HARRISON], will go up and down the country next fall, the de luxe campaign orator of the Democratic Party, and he will charge over and over again, trumpet-tongued, that this is the Grundy tariff bill.

Mr. President, the campaign of 1928 had been over long before Mr. GRUNDY came to the Senate. The platform pledges had all been made before he arrived here. President Hoover had sent his recommendation to the Congress before he came here. The Ways and Means Committee of the House had formulated the bill before he arrived here. The House of Representatives had passed the measure before he came here. The Senate Finance Committee had formulated it again before he came here. It was well on its way to passage before he became a Member of this body.

Mr. WHEELER. Mr. President—

The VICE PRESIDENT. Does the Senator from Indiana yield to the Senator from Montana?

Mr. WATSON. I am glad to yield.

Mr. WHEELER. Speaking of the time when Mr. GRUNDY came here, does the Senator have reference to the time when

he came to the Senate or to the time when he came here as a lobbyist?

Mr. WATSON. I am talking about when he came here as a Member of the Senate.

Mr. WHEELER. He was here before that time as a lobbyist. He was not only trying to put across a tariff bill but he helped to put it across before he came to the Senate. As a matter of fact, he collected money to help elect the Republican ticket because he wanted the tariff bill, and he did that before he came to the Senate. He wrote the platform at Kansas City.

Mr. WATSON. My friend from Montana seems to have some personal knowledge of Mr. GRUNDY's activities as a lobbyist. I have not! [Laughter.] He never came to me about the tariff bill except once—just once—and that was to find out whether or not I would stand for American valuation. He came into my office and asked me about it. I told him that I would not, and that was the end of the conference. I would not and did not. That is the only time he ever came to me. Just how many times, of course, he had conferences with my genial friend from Montana it is for him alone to say. [Laughter.]

The truth about it is that so far as the formulation of the tariff bill is concerned—and everybody about me will attest the truthfulness of what I say—Mr. JOSEPH R. GRUNDY, of Pennsylvania, cast one vote, and he had the influence which naturally comes from a man who has had long experience in manufacturing and understands economic principles thoroughly and is not afraid to announce his views. That is the most natural thing in the world.

Now, if nobody else wants to fool away any time with me, I will proceed. [Laughter.]

Mr. BROOKHART. The Senator said I had asked him one sensible question, but he has not answered it yet.

Mr. WATSON. I will answer it when I come to that phase of the discussion.

Mr. President, I have described the characterization of the tariff bill by the Democratic publicity campaign bureau and Democrats generally—and I do not confine it to Democrats. Some of my own wandering and misguided friends on this side of the aisle got lost in the labyrinth, and I am afraid they are not expected back by 2 o'clock! [Laughter.]

But, Mr. President, after the tariff bill had been passed by the House these—if I may be permitted a street expression—"howls" were emitted against it. Then it went to the Finance Committee. The committee amended it 431 times. No sooner had it issued from the Finance Committee than the next day—the very next day—the Democratic publicity bureau attributed to certain Senators and Representatives exactly the same language they had about the bill when it passed the House—the "most iniquitous," the "most vicious," the "most illogical," the "most unpatriotic" legislation ever placed in a bill.

The bill came to the Senate. The Senate amended it 1,253 times, and the very day the bill had passed the Senate the same Democratic publicity bureau here in Washington got busy and began grinding out the same grist. One statement after another came out saying this was the "most illogical," the "most infamous," the "most vicious," the "most iniquitous," the "most unholy" tariff bill ever formulated in the history of the American Republic—the same language about the bill, although it was an entirely different measure.

It then went to the conference committee. The House receded on 783 amendments, many of them inconsequential, but most of them of consequence. The Senate receded on 213 amendments. We compromised 257. When the bill came out of conference it was wholly unlike the bill passed by the House of Representatives, and yet the Democratic publicity gristmill down here began to grind out the same grist and to say the bill that came from conference was the "most illogical," the "most inequitable," the "most infamous," the "most iniquitous," the "most outrageous," the "most unpatriotic" tariff bill ever formulated in the history of American civilization. They said exactly the same thing about the bill, although it was an entirely different measure than the one that left the House of Representatives.

It is easy for men to say a tariff bill is infamous and outrageous. That requires no argument. It is based on no facts. It requires no logic. It simply acclaims, and yet because it is antagonistic and strikes at something, it gets the headlines of the newspapers and simmers down in the imagination of the people, and after a while a lot of folks begin to think, "Maybe there is something wrong with the tariff bill," although they do not have any reason for it or any basis for it, and never will have, because when the bill has been passed, when it is put in operation, it will open the mills and restore prosperity. The answer to all these charges is the actual demonstration of the workings of the tariff bill. That is what has happened before and that is what will happen again.

Senators, I think perhaps I had better give just a few illustrations of some of the things that have been said about past tariff bills to show that what has been said over on the other side of the aisle and by some few over here about this tariff bill is exactly what was said about the Dingley bill, exactly what was said about the Payne-Aldrich bill, exactly what was said about the Fordney-McCumber bill—just what they are saying about this bill, in precisely the same language, couched in the same verbiage; and I assert that it will be with the same old result.

Senators, I remember when the Dingley bill was under consideration. My honorable friend who is now Vice President sat with me in the House at that time. We had to listen to all that kind of talk. It seems to me that men had hunted through the dictionary to find new words in which to formulate language to express their contempt for the tariff bill and to adequately set forth the great dangers and perils which confronted the people of the Republic if it should ever be enacted into law, just as they have done in this instance. Over 150 speeches of that kind were made in the House and Senate—150 of them all of the same kind, setting forth in graphic fashion the terrible things that would come to the Republic and to the people of the Union if we dared to pass that infamous tariff law. The most doleful prophecies, the direst predictions, and the most dismal forebodings were indulged in by all of them who spoke on that side of the subject, just as has been done in this case. It is well enough for us to recite a few of them in order to show that these gentlemen have treated this bill just as the opponents of every other measure have treated former bills. Then let us see with what result.

#### SOME QUOTATIONS

Congressman Lanham, of Texas, a Member of the House for many years, said on the floor in the debate on the Dingley bill:

Pass your bill, reeking as it does with blight and burden, carrying as it does disaster and distress, freighted as it is with woe and waste, filled as it is with injustice and oppression to your fellow men; but it will but briefly blot and blur the statute books of this mighty Nation, for it is against the genius of our institutions, the ethics of civilization, the proprieties of life, the equities of good government, and the conscience of a free people that mammon shall be enthroned and that money shall rule man in this land.

Does not that have a familiar sound, my fellow Senators? Over and over again we have heard rehearsed here and at the other end of the Capitol that same old story, always sung in a minor key, predicting the woes of the people if we should pass the tariff bill.

Another one of our congressional friends said—

Mr. BROOKHART. Mr. President—

The VICE PRESIDENT. Does the Senator from Indiana yield to the Senator from Iowa?

Mr. WATSON. Oh, assuredly.

Mr. BROOKHART. I want to ask the Senator if all those woes which were prophesied so emphatically have not come upon the farmers and are in existence and afflicting the farmers right now?

Mr. WATSON. Even the farmers in Iowa know better than that, and answered the other day that they do not exist.

Mr. BROOKHART. The farmers in Iowa on the eve of the campaign of Governor Hammill made the issue all over the State of Iowa against one BROOKHART as dictator. That was his issue. It was advertised in the papers. I have here a copy of the advertisement, which I will later have placed in the RECORD for the Senator, so he may see what Governor Hammill's issue was in the campaign. I was friendly to DICKINSON myself.

Mr. WATSON. Did DICKINSON know it? [Laughter.]

Congressman Handy, of Delaware, in the debate on the Dingley bill, set forth his grievances in the following language:

When the farmer learns by future bitter experience how heavy are the burdens you lay on him and how futile the pretended protection for him in this bill, he will join the workingman in the demand for another campaign for tariff reform. You pass this bill to-day, but you must know full well that its reckless provisions are too grievous to be borne with patience.

\* \* \* This bill seems to me a cruel and unjust measure—

Listen!—

the most outrageous tariff bill that American politics has ever known.

Does not that have a familiar sound? The same old characterization, the same old epithets, the same old pretended argument, and I will show the results in a very little while.

Senators, I will tell you what I might do. I am entirely honest in this statement. I could go back and quote from the speeches of John C. Calhoun and Thomas H. Benton on the tariff. I am perfectly familiar with those speeches. Calhoun

and Benton were the first men ever to use the expression "A tariff of abominations." That expression has been made use of millions of times by those who have opposed tariff bills, all over the Republic and on the floor of the Senate and the floor of the House from that day to this—"A tariff of abominations." How often we have heard that expression used in this Chamber. I could take the speeches of John C. Calhoun and Thomas H. Benton, containing what they said about the tariff bill of 1828, and the expressions and characterizations employed by those who fought the Dingley bill, the Payne-Aldrich bill, and the Fordney-McCumber bill as they came from the mouths of Senators and Members of the House of 1898, of 1908, of 1922, and put them in the mouths of the men who have opposed the bill now before us, and I would not have to change a word. I could put those speeches in the RECORD of to-day as the expressions of the men who have opposed this bill and it would not have been necessary for them to utter a single word, for they have only repeated in regard to this measure what has been said time and time again in regard to every other tariff measure of like character since 1824. It would have been unnecessary to dot an "i" or cross a "t," because they are exactly the same characterizations in the same language, used by the descendants of those illustrious men, and always with the same inevitable result.

That is where the expressions originated. John C. Calhoun was the first fiery and spectacular orator ever thus to attack a tariff measure, and it has come down the line from that day to this. His descendants have used it with more or less telling effect to stir up feeble souls and to terrify the timid. They have filled the air with goblins and spooks and gnomes and specters that are about to descend upon us and "get" us if we pass this tariff bill. Well, we have gone on and passed tariff bills just the same, and prosperity has come back to the people. Is my friend from Iowa affrighted by such specters?

Mr. BROOKHART. Mr. President—

The VICE PRESIDENT. Does the Senator from Indiana yield to the Senator from Iowa?

Mr. WATSON. I yield.

Mr. BROOKHART. The million and a half farmers who have lost their homes or property by foreclosures since 1920 are in a different class; there is no prosperity among them.

Mr. WATSON. I will speak of them when the time comes.

Mr. President, I could go on and quote, if time permitted, many other speeches of gentlemen at the other end of the Capitol.

Representative Stephens, of Texas, for 20 years a Member of the House sounded this doleful warning into the ears of his fellow Members:

If the trust and money powers, led on, as they are now, by the Republican Party, can carry these, their pet designs, into execution, the laboring and producing millions—

Listen to this prophecy—

will be forced into a slavery far worse than the peons of Mexico have ever been subjected to.

Think of a man making that kind of a statement on the floor of the House of Representatives of the United States in the light of the fact that during four-fifths of our history we have had protective tariff laws, and when all the advancement and progress that have come to the Republic have come because of the beneficent operation of this policy which protects American labor and American capital from invasion by those on a far lower level industrially, commercially, and financially than are the people of the United States! It is said now that we live on stilts. Well, if we do, they are golden stilts, and they put us on a higher plane than any other people in the world because of the protective tariff system. You know, Mr. President, and I know that the laboring people of America, instead of being ground down into peonage, as my old friend the Representative from Texas said, have come to be the best paid, the best housed, the best fed, the best clothed, the best educated and the most moral laboring people in the world. They have more comfort in their homes and more hope in their hearts than have any laboring people that ever before lifted their hands in toil on earth. Yet a man stood up on the floor of the House of Representatives to say that if the Republican protective tariff bill then under consideration were passed they would be ground down into hopeless peonage. How little such men understand the philosophy of the protective tariff or its underlying principles.

However, it was reserved for my friend Representative Hunter, who was a very eloquent man, to sum up all the villainies of the proposed Dingley law. My friend from Mississippi [Mr. HARRISON], with his eloquent tongue, is a mere "piker" as compared with Hunter in describing the horrible

things that would fasten themselves upon the country if the then pending tariff bill were passed. Mr. Hunter said:

Mr. Chairman, this tariff bill brought in here by the Committee on Ways and Means is infamous—

Is not that natural?—"infamous"!

It stands like a highwayman in the road of the American people to prosperity. It is an enemy to legitimate industry, a menace to the ambition and hopes of enterprising people, a crime against labor and agriculture. It is a financial outlaw; it has not one redeeming quality in all of its provisions; they are all bad. It revives imperial ideas of government. It puts a premium upon profligacy and idleness. It brings the venal and vicious into control. It fastens a shoddy nobility upon the country. It forces the earnings of the wealthy producer into the pockets of a class who render no consideration. The sum of all covetousness, avarice, and inordinate greed. It stands without a rival in extortion, and brings reproach upon American character.

It lays burdens of taxation more heavily upon the farmer and the laborer now than ever before.

It limits the exchange of the farmer's surplus product and reduces the price.

It has no reference to raising the necessary revenue to support the Government.

It enhances the value of the protected article to the home consumer and limits the field of labor.

It compels every laboring man in the country to give more of his earnings for the protected goods and leaves labor on the free list.

It has created 470 trusts and corporations, whose net income is more than six hundred millions annually.

It violates every principle of honesty and integrity.

Its life is drawn from the polluted blood of avarice.

It is robbery under the form of the law.

It closes the doors of the factories and turns men, women, and children into the street to starve and to die in order to influence and secure legislative favors.

That is what he said about the Dingley law. Yet, Mr. President, when we passed the Dingley law you know the condition of the country; I need not recite it to you; but I will in a little while show the result on the passage of that law. I wish first, however, to refer to what some of our friends on this side of the Capitol had to say, in order to show that this Niagara flood of sarcasm and irony and bitter invective was not confined alone to the House, but was voiced and revoiced over and over again with vehement eloquence by able and astute Senators. I cite only a few examples, though I might give dozens, to prove the truthfulness of my assertion that this always has been the method of attack on protective tariff measures.

Senator Vest, of Missouri, a wise, able, and eloquent Senator, used this language to express his view of the Dingley bill:

I plead, of course, to deaf ears so far as this Chamber is concerned, as I have not the gift of special prophecy; but I tell my friends on the other side, continue this thing and you will repeat history as it occurred after the set of 1890. There is an instinct of fair play and right in the American people which will not tolerate this sort of illogical, indefensible, and outrageous taxation.

There are the three terms used again coming right down the line from Calhoun clear through to my eloquent friends on the other side in this day—"infamous," "outrageous," and "un-American" taxation. It is not taxation at all; a protective tariff never has been taxation in the sense in which we use that term.

The then Senator Allen, of Nebraska, uttered this wail by way of protest:

I want to see the bill pass. I want to see it pass as speedily as possible. In my judgment, it will be the gigantic failure of the age. It will fall short of producing revenue. Although its purpose is as I said, I want to see the great body of honest American citizens who believe there is something in the tariff issue to learn by bitter experience, if they can not learn otherwise, that the tariff is a delusion and a snare.

Well, "snare" us again in the same way; that is just what we want right now, if we can bring it about. I will tell you the story in a little while.

Senator Mills, of Texas, my friend, whom I used to know away back when I was a boy, himself the author of a short-lived tariff bill, could not find language of a sufficiently blighting, blasting, withering character to express not only his hatred of the measure under consideration, but also his prophecies of the direful consequences that would ensue to this country from the passage of that act. Listen to this doleful sound and recall

the number of times you have heard it repeated in the same minor key on this floor during the discussion of the pending bill:

Do you think there is no hereafter?

Do you think there is no hereafter? [Laughter.]

Wait until the swallows homeward fly. There is a tribunal whose doors are always open, and we will invite you to meet us there.

Listen to this remarkable statement:

If the people of the United States indorse your doctrine and the policy that you write on the statute books to-day they are not fit for self-government.

That is what Roger Q. Mills said. If he was correct, then for four-fifths of the time during the whole history of the United States the entire people of America have been unfit for self-government, and the Democratic Party itself has learned so much about the tariff and has so enjoyed its manifold blessings that large groups of them are rapidly becoming unfit for self-government. [Laughter.]

Senator Jones, of Arkansas, thus poured out the vials of his wrath upon that measure:

The pending bill is framed on the theory that more taxes will relieve the present distress. It is clear enough if one man or one set of men shall be allowed to levy these taxes on their fellows that the condition of those who are permitted to levy the taxes for their own benefit may be greatly relieved by the enactment of such a law. But what must be the condition of those upon whom such taxes are levied? Bowed already by the burdens of taxation, harassed and distressed by debt and want, those who must submit to the exactions of the favored few will only have their condition made harder and harder by the grinding exactions of this bill. An increase in the cost of nails and glass, wood screws, chinaware, glassware, woolen cloths, and cotton goods may readily swell the fortunes of those who manufacture and sell these articles, but every cent legislated into their pockets by this bill must be taken out of the pockets of the consumers.

Have we not heard the same character of lugubrious statements repeated time and again during the consideration of the bill upon which we are soon finally to vote?

Senator Bate poured forth his dire prediction in these words:

It will be an indirect and constant drain upon the great body of consumers.

\* \* \* It will increase poverty where it now exists and multiply wealth where it now abounds. It will suck the lifeblood of labor and make of it a pale and sickly dependent. It will encourage capital to combine and build up those modern curses—trusts and monopolies. It will multiply tramps and millionaires.

Mr. President, what do you think of that? Yet the laboring men have infested these halls to insist on the passage of this bill. They know the benefits that under the beneficent operations of the protective tariff system come to those in the United States of America who earn their bread in the sweat of their faces.

Senator Turpie, of Indiana, as learned a man as ever sat in this body in a generation, whose successor I am on the floor of the Senate, had this to say:

What will be the effect of the increase, the excessive increase of taxation upon imports? It must necessarily affect exports. It must necessarily reduce exports. These two act and react upon each other. It must lessen the demand for cotton, for wheat, for corn, for all the cereals, the true surplus of our country.

Let me digress to ask where on earth my predecessor got that sort of logic? We do not put a tariff on anything that goes out of the country. Everybody is free to come in here and buy, whatever our tariff laws. We put a tariff only on commodities that come into the United States, not on commodities that go out, and they are just as free from duty now, no matter what sort of "tariff wall" we have, if we may use the term "tariff wall."

The nations of Europe and the nations of the world do not buy of us because they love us. No; they buy of us because they can get better goods and cheaper here under the impetus we give to labor and to investments and to invention than they can get anywhere else in the world. That is why they come here and buy, and any import wall which we erect can have no place in our economic policy so far as interfering with foreign commerce is concerned. Senator Turpie continued:

It must lessen and reduce the price of those great commodities of international exchange. It must consequently leave the people less able to pay the rates of taxation than they are at present. I do not think there has been a bill drafted in the history of the Government

which commits so large and unprovoked a spoliation upon the commerce of the world as the bill we are to-day considering. The decrease of exports and the falling market for our cereals may be considered the compensatory duties which will follow the passage of this enactment.

I want Senators to keep in mind what my distinguished predecessor said when I come to show the actual facts, to set over against prophecy the logic of what occurred, and that after all is the best answer to any free-trade doctrinaire argument.

Senator Bate, from whom I have already quoted, said:

At the same time we are considering here in Congress the most effectual tariff system that shall paralyze the industries of other nations, deny them access to our markets, and shut off 75,000,000 of consumers from the production of other nations.

Yes; that is what we are trying to do; not to shut them out but to preserve the American market for the American producer, looking first after our own labor, our own capital, our own farmers, our own natural resources, and our own industries, and then selling abroad whatever surplus we may have, and the facts show that any tariff we ever erected in no wise interferes with such sales.

Senator Chilton, of West Virginia, unlimbered his oratorical guns and went into the fray with the following fusillade:

\* \* \* Teach the farmer the truth; teach him to bare his arm against protection at every point; teach the farmer that he can never gain a fair share in this protection robbery; teach him to fight it to-day, to-morrow, and next year; teach him to make war against the first schedule, the second schedule, the fourteenth schedule—all the schedules; teach him to muster with that party which will move manfully toward ultimate free trade in this country; and when you do that, we can write another such platform as the Democratic Party wrote in 1856 and we can win another such victory as was won under Buchanan as our candidate for President.

I pause long enough to read what President Buchanan said in his last message about the tariff of 1856; not directly about the tariff—but about the results of that tariff—as inevitably to follow as night is to follow day. Buchanan said:

With unsurpassed plenty in all the elements of national wealth, our manufactures have suspended, our public works are retarded, our private enterprises of different kinds are abandoned and thousands of useful laborers are thrown out of employment and reduced to want.

Yet a Senator standing on the floor of the Senate said he wanted a return of the tariff that brought about such an anomalous condition in the United States, anomalous because with all our natural resources, with all our inventive genius, with all our capacity for management, and with all our ability to make skilled laborers in the United States, we ought to lead, industrially, commercially, and financially, and not be prostrate and helpless before all the other people of the world. Yet whenever we permit, in free and unrestricted fashion, the products of the cheap labor of Europe to come into competition with the products of our labor there can be but one of two results—our laboring people must come down to the wage level of the foreigners or else shut up shop. There is no other alternative, and every time we have tried a Democratic tariff we have shut up shop, and every time we have adopted a Republican tariff we have opened the shops, the boys have gone back to work, and the hum of industry has again come to bless and gladden the ears of all the people.

But why continue quoting from an endless list of orators pouring forth maledictions and execrations in the most vehement fashion, presaging all the woes of the Dark Ages and picturing all the misery of peonage and slavery if these various tariff bills were passed?

Many of our friends on the other side have merely repeated these doleful predictions, their voices still reverberating within the four walls of this Chamber. Every tariff bill is the most outrageous, the most iniquitous, the most infamous, the most indefensible, the most illogical, and the most un-American of all tariff bills that have ever been proposed. That is just what they have said about all of them, and is what they say about the pending bill; but there is nothing new about it, although their campaign publicity has carried it everywhere, while we have not been able to have the newspapers carry the real logic that underlies this bill and must depend alone on its operations to justify the faith of its sponsors and the hope of its formulators.

Mr. BROOKHART. Mr. President—

The VICE PRESIDENT. Does the Senator from Indiana yield to the Senator from Iowa?

Mr. WATSON. Certainly.

Mr. BROOKHART. Inasmuch as a million and a half farmers since 1920 have lost their homes and other property by foreclosure, is it not true that tariff bills have become just a little more infamous each time they have come along?

Mr. WATSON. I should like to have the Senator take that idea out to Iowa the next time he is a candidate.

Mr. BROOKHART. It has been entertained in Iowa for nine years.

Mr. WATSON. If so, it has been entertained in Iowa under extreme conditions, for which the tariff is not any more responsible than it is for the flow of the tides or for the precession of the equinoxes. The Senator knows that just as well as I do, but I will ask him to wait until I get to it in a few moments.

We have been told in the past that the laboring people of America would be reduced to a condition of peonage if we passed protective tariff bills. Under the dominating effect of the successive protective-tariff measures, Mr. President, we brought our people to that high place where in 1917 they were enabled to help the world. It has been said that we have never done anything for the world and that we are not now doing anything for Europe; and our friends on the other side stand upon the floor and say that the way to cure unemployment in the United States is to pull down the tariff, to permit from abroad unlimited importations, made by people who receive one-fourth as much as our laboring people receive. That is the remedy proposed to cure unemployment in America. Was there ever such a farcical suggestion made in the face of an intelligent people in an effort to convince them?

Mr. BROOKHART. Mr. President—

The VICE PRESIDENT. Does the Senator from Indiana yield to the Senator from Iowa?

Mr. WATSON. Yes.

Mr. BROOKHART. Is not the Senator in error in that respect?

Mr. WATSON. No; I am not.

Mr. BROOKHART. Some of us on this side wanted the debenture in order to make the farmer's tariff rates effective and to cure unemployment. The Senator is not fair to those of us on this side who are opposed to the bill.

Mr. WATSON. Mr. President, I like my friends on this side; I do not want to characterize them or excoriate them; I am just trying to forget them if I can. I want to direct my remarks particularly to Senators on the other side. I do not like to have strife in my own household, if there is any way to prevent it; we have some differences, perhaps, but I think our difficulties are going to be cured by the irresistible logic of events. [Laughter.]

Mr. BROOKHART. Mr. President, let me ask the Senator at that point how many farms the farmers of America will have to lose before the logic becomes irresistible?

Mr. WATSON. The farmers' losses in the United States have stopped.

Mr. President, under the operations of the Dingley law our exports increased, our imports increased, and our foreign commerce so increased that we became the largest exporting and importing nation of the world, and all the people of America derived tremendous benefit.

Mr. HARRISON. Mr. President—

The VICE PRESIDENT. Does the Senator from Indiana yield to the Senator from Mississippi?

Mr. WATSON. I can not resist my friend from Mississippi.

Mr. HARRISON. Does the Senator intend to use up the remainder of the time?

Mr. WATSON. I intend to occupy every bit of it, and I wish I had two or three hours more.

Mr. HARRISON. The Senator is fortunate.

Mr. WATSON. I am so anxious to show the fallacy of what my friend from Mississippi has been saying about this bill that I can scarcely contain myself within the limits that I fixed for these few remarks. [Laughter.]

Mr. President, we heard exactly the same thing when the Payne-Aldrich law was under consideration and being discussed. You know, Mr. President, that the Democratic minority literally peppered that bill every day with a fusillade of invective and satire and wit and ridicule and sarcasm until some of our friends, even as now, were just a little bit shaky about the effects of the passage of that bill.

I have seen that time and time again. It is here now. Some people are a little scared about this tariff bill. They do not know what it contains. They have heard only one side of it; and what side is that? That it is "infamous" and "outrageous" and "un-American" and "illogical" and "unholy" and "a league with death" and "a covenant with hell." That is all they know about it. No wonder they are terrified!

Mr. HARRISON. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Indiana yield to the Senator from Mississippi?

Mr. WATSON. I yield.

Mr. HARRISON. Will the Senator tell the Senate what happened to the Republican Party following the passage of the Payne-Aldrich tariff law?

Mr. WATSON. I shall be very happy to do that; and the protective tariff had no more to do with it than it had to do with the ebb and flow of the tides. The Senator knows that.

Mr. HARRISON. No; the Senator does not know that.

Mr. WATSON. Then, I should like to instruct my friend a little in the history of the country.

Mr. HARRISON. Will the Senator give me some time?

Mr. WATSON. I happen to have been a part of that—humble, of course, but still there. I know what happened in the convention in 1912, and I know what led up to it. The tariff was not involved in it, except in this way:

President Taft stood for Canadian reciprocity, and all the farmers of the whole West rose up to resent it and were against him on it. Taft got in on Senator HARRISON's proposition; and whenever anybody does that on the tariff question, it is only a matter of time until he will be ruined—that is all. [Laughter.] Taft got in on HARRISON's side of it. He wanted free trade with Canada, and the farmers of the West would not stand for it; and they rose up and smote him hip and thigh.

I happened to be the Taft floor leader in the convention of 1912. I was there, and I know that the tariff question had no more to do with what happened than it had with the doctrine of the nebular hypothesis.

Mr. HARRISON. Did the Senator vote for the bill providing for reciprocity with Canada?

Mr. WATSON. No; I certainly did not and I would not, now or at any other time. I am dead set against it.

In connection with the Payne-Aldrich tariff law, you remember how the opposition talked about Schedule K. The truth about it is that it was largely accentuated by one of the most eloquent men who ever stood on this floor, the late Senator Dolliver, of Iowa, the predecessor of my friend who is now so terrified about existing conditions and future prospects in America. Why, my fellow citizens, he denounced Schedule K, and Democrats in unlimited numbers denounced it and said awful things about it. Why, I may almost say that mothers quieted their children by saying, "Schedule K will get you if you don't watch out." [Laughter.] People had not any idea what it was, but they all thought it was something terrible that was about to fasten down on them and consume them with consuming fire; and it caused more or less confusion in the United States. We righted ourselves, however, and under the operation of the Payne-Aldrich tariff law we increased our exports every year, and we increased our imports every year, and we increased our foreign commerce every year, and all our factories were open, and all our boys were employed. There was no question of financial despair in America during that period—not the slightest.

Mr. BROOKHART. Mr. President—

The VICE PRESIDENT. Does the Senator from Indiana yield to the Senator from Iowa?

Mr. WATSON. I do.

Mr. BROOKHART. Did we not also increase the foreclosure of farm homes?

Mr. WATSON. Under the Payne-Aldrich law?

Mr. BROOKHART. Yes.

Mr. WATSON. We did not.

Mr. BROOKHART. We did since 1920.

Mr. WATSON. Oh, well; now the Senator has gotten away off the track on something else.

Now I want to come to another phase of the matter, and I must do it quickly. If you gentlemen will please let me alone, I shall be happy. If you do not, I shall probably be happier. [Laughter.]

Let me give you just a few of the prophecies that were uttered here in 1922. I am afraid that one is about all I shall have time to quote to you. Where is my old friend, the Senator from Virginia [Mr. SWANSON], the delightful gentleman that we all love? No man here stands higher than does he. His soul was filled with terror at that time, and he voiced it in this beautiful but entirely erratic language:

The passage of this bill means to destroy this vast trade, which is fast increasing each year. It means an abandonment by the United States of the markets of the world.

We were going to give them up altogether!

It means, on our part, a policy of isolation instead of one of progress and enterprise. It means a confinement of the sale and purchase of commodities by our citizens to the limit of their own country, to be fleeced by the favored few who are the recipients of the bounties and privileges of this bill.

Wonderful, was it not? Why, Mr. President, under the influence of that bill, and of every one of these bills, our foreign commerce increased. Our foreign trade was augmented. We sold more and we bought more. Right now they are using the same old argument; and what is it? "You can not buy of foreign people if you do not sell to them; and you can not sell to them because you can not buy of them; and you can not buy of them because your tariff wall is so high that imports can not get in."

They have repeated that. My friend from Mississippi has said that over and over; and my old and eloquent friend from North Carolina [Mr. SIMMONS], whose defeat we all mourn, over and over with endless repetition has recited that. I am going to give you his words.

Mr. HARRISON. Mr. President, will the Senator yield?

Mr. WATSON. Surely.

Mr. HARRISON. How does the Senator explain the fact that during the first four months of this year our balance of trade has fallen off several hundred million dollars as compared with last year?

Mr. WATSON. I will explain all that. Wait until I get these figures.

Mr. President, under the operation of the Dingley law our exports increased from \$1,231,000,000 to \$1,860,000,000, an increase of \$600,000,000. Our imports increased from \$660,000,000 to \$1,994,000,000, or a total increase in both of \$1,400,000,000. Yet they said that that law was going absolutely to enslave us, destroy our industries, strike down and prostrate all of our prosperity, endanger the future happiness of the Republic, and reduce us to a condition of peonage in America! Did you ever hear the like of that in all your life?

Even under the Payne-Aldrich law we increased our exports from \$1,663,000,000 to \$2,465,000,000, or an increase of \$800,000,000 in what we sold, while we increased what we brought in from other lands from \$1,311,000,000 to \$1,813,000,000, or an increase of \$500,000,000 in what we bought of other people, notwithstanding all these doleful prophets and these gloomy purveyors of woe; and our total increase in foreign commerce, my fellow citizens, was \$1,300,000,000.

Now, I want to come down to what my friend the Senator from North Carolina [Mr. SIMMONS] had to say.

Mr. HARRISON. Mr. President, before the Senator gets to that, will he not answer the question I asked him just a moment ago about the shrinkage of the balance of trade?

Mr. WATSON. I will. The great trouble about it is that my friends over on the other side are far more interested in shrinkage than they are in expansion. [Laughter.] They are glad to see things diminished and dwarfed in the United States and not brought up to a high plane. Here is the difference between our philosophy and yours, my dear friends: We believe in production. We believe that production in the United States should be full and abundant and full rounded and ripe every day and everywhere. We believe that our natural resources should be utilized to the limit. We believe that our inventive genius should be called upon every day to bring into being new forms of machinery. We believe that our railroads should operate every day and employ all of these 1,750,000 men and pay them American wages. We believe that American labor should be employed to the full in order that in turn they may buy the products of the American farmer right at home, for the farther the farmer goes from his home to find his market the greater the freight rates, and the farmer always pays the freight rate. Therefore it is our policy to put the factory and the farm alongside each other in order that each may find a ready market right at his door for what he produces.

That has been our policy from the beginning. On the other hand, you said we were robbing the many to feed the few, and you wanted to pull down the tariff and bring in unlimited products from abroad, made by people who get from one-fourth to one-half what our people get; and you said that that would make things cheap in America.

There never was a more fallacious doctrine preached to the people, from an economic standpoint, than this doctrine of cheapness. Ben Harrison, President of the United States from my State, compressed it all into an argument when he said, "A cheap coat means a cheap man under the coat." What did he mean by that? Why, the man that made the cheap coat got cheap wages for making it; and cheap wages always make a cheap man. We want wages high. That is one thing in which I agree with Henry Ford. I want high wages, paid in American money.

Mr. BROOKHART. Mr. President, will the Senator yield?

Mr. WATSON. Oh, I will come to the farmer in a little bit. [Laughter.] High wages, paid in American money—that is

what we want. Then, in turn, the man who gets those wages can pay the American farmer what he wants.

Now, listen—

Mr. BROOKHART. Let me ask my question first.

Mr. WATSON. All right.

Mr. BROOKHART. Since 1920 the average wage of the average farmer for himself and his family has been less than \$700 a year. Is that the kind of wages the Senator wants for the farmer?

Mr. WATSON. And his own living.

Mr. BROOKHART. That includes everything he used on the farm, as well as everything he sold.

Mr. WATSON. Oh, no; the Senator is wrong. He has some of these doleful statistics in his head.

Mr. BROOKHART. Doleful? They are doleful.

Mr. WATSON. They are.

Mr. BROOKHART. They are true. That is the reason why they are doleful.

Mr. WATSON. And when they enter the perfervid imagination of my friend there is some sort of a loom in there that transforms them from brightness to sadness and sorrow before they emerge on the other side I am very sorry to say.

Mr. BROOKHART. Are not the million and a half farm homes that have been lost rather a sad and sorrowful thing to anybody?

Mr. WATSON. They seem to be to my friend; and how does he propose to help it? Listen: The votes he cast here were votes aimed at success. The question he always asked was, "Is this institution making money?" "Yes." "Well, then, pull down the tariff and keep it from making any more."

Mr. BROOKHART. No; that is not the question at all.

Mr. WATSON. Why, absolutely. "Is this institution prosperous?" "Yes." "Pull down the tariff so that it will not be any longer."

Mr. BROOKHART. That is not my position at all.

Mr. WATSON. The opposition sent up here and got the income-tax returns, and insisted on our waiting for days before we brought in the tariff bill to get these returns. What for? If the institution was prosperous, no longer let it have the tariff, because your whole fight was a drive on success; it was an assault on prosperity. They forgot all about one feature of this matter.

Mr. BROOKHART. Has not the Senator forgotten all about my position—

Mr. WATSON. I did not know that the Senator had one.

Mr. BROOKHART (continuing). When I said that if we could have a debenture that would make the farmer's rates effective, I would vote for the bill?

Mr. WATSON. Do I have to stop and talk about the debenture? I do not want to.

Mr. HARRISON. Mr. President, will the Senator yield?

Mr. WATSON. This is what my friends forget.

Mr. HARRISON. Will the Senator yield?

Mr. WATSON. Just once more, I will say to my good friend.

Mr. HARRISON. The Senator said that this was an assault on prosperity. What prosperity did he have in mind?

Mr. WATSON. I will talk to the Senator about that.

The Senator has talked about the existing condition in the country. I know there is a depression in the country, commercially and financially. I know that. Does the Senator say that the tariff had anything to do with it? Will he say that the protective system had ought to do with bringing it about, honor bright? That is what we are talking about here to-day. Does the Senator say that free trade and a great influx of cheap products from abroad would have helped employ these men, and would have prevented these factories from closing? Answer me that.

Mr. HARRISON. Mr. President, will the Senator yield to me?

Mr. WATSON. Will the Senator answer me that?

Mr. HARRISON. Will the Senator give me time to answer his question? [Laughter.]

Mr. WATSON. No; I will not, because my cunning and artful friend from Mississippi wants all my time [laughter], and I am not going to give it to him, under the rules.

Here is one thing that my friend from Iowa [Mr. BROOKHART], whom I like so well and quarrel with so often, forgets about the situation:

We talk about capital and labor in America as if that were all there was to it. Listen: Every successful industry is based on three things: Capital, labor, and management. If you look at 95 per cent of the failures, you will see that when a failure comes it is the third leg, or management, that breaks down. Always you can get capital in America, with reasonable security, and at fair rates of interest. Always you can get labor, skilled

and unskilled, in abundance in the American market. Fidelity is bought and purchased millions of times every day in America. The thing that breaks down is management.

Here is a man who starts out to build a factory. He builds his factory, he furnishes the capital, along with those who are engaged with him; he goes out and buys the raw material. He is responsible for it. He brings it into his factory, he sets up his machinery, he converts it into forms of usefulness or beauty for the benefit of his customers. He takes charge of the sales. He looks after the transportation to the market. He is responsible for it all. He has the whole burden of that institution on his shoulders. Yet my friend from Iowa says that he is not entitled to any more than 5 per cent on his earnings, with all the work he does, and all the management he furnishes, and all the genius he puts into it.

Mr. BROOKHART. Mr. President, will the Senator yield?

Mr. WATSON. I yield.

Mr. BROOKHART. I would be very well satisfied if the farmers got a good deal less than 5 per cent.

Mr. WATSON. I do not think the Senator would be satisfied with anything. The Senator, as I said a while ago, strikes at success.

Take, for instance, the industry which we call the aluminum industry. I really believe as firmly as that I stand here that there were men on this floor who would have been glad to drive that industry out of the United States because it had been prosperous and because Andrew W. Mellon was one of its chief owners. The question was, Has it been prosperous?

Suppose they had driven it out of the United States. What good would that have done the American farmer? They employ 60,000 men and pay them \$7 a day each. There is that great sum to be used in the purchase of American farm products right at home. These gentlemen would have driven that out of the United States and sent it to Canada, or across the water yonder to Belgium. How would that help the American farmer? He has to pay the freight rate to get to Canada, and he has to come in competition there with Canadian labor. He has to pay the freight rate to get to Belgium, and he has there to meet the competition of the world in the markets of Belgium. How is he to be helped if the doors of industry in the United States are closed, if laboring men are turned out of employment, and how is my friend from Iowa, in a State which has just shown its faith in the tariff doctrine, to be helped by driving industry out of the United States and causing the farmer to go to Europe to find a market?

Mr. BROOKHART. Mr. President, will the Senator yield?

Mr. WATSON. I yield.

Mr. BROOKHART. I was going to help them by putting the debenture in the tariff bill, so that the farmer's rate would be effective, the same as the aluminum rate. I think the farmer is entitled to just as good a return as is the aluminum manufacturer.

Mr. WATSON. The Senator knows I believe that even more than he does.

Mr. BROOKHART. But the Senator voted against the debenture, which would have given us that equality.

Mr. WATSON. I certainly did, and I have not time to tell the Senator why.

Mr. HARRISON. Mr. President, will the Senator yield for just one question?

Mr. WATSON. I yield.

Mr. HARRISON. I understood the Senator to say a few moments ago that he opposed the Canadian reciprocity act.

Mr. WATSON. Yes.

Mr. HARRISON. I wish the Senator, when he shall have concluded his speech, would look on page 3175 of the CONGRESSIONAL RECORD of July 22, 1911, where it is shown that he voted for that act.

Mr. WATSON. I do not think so.

Mr. HARRISON. The RECORD shows it. Of course, it might have made a mistake.

Mr. WATSON. No; there was no mistake. If it is in there, I suppose I did. But that was in the days of my infancy, when I did not know any better. [Laughter.] It is always in order for a man to plead the statute of infancy, and I am very glad if my friend brings the poor opinion of my youth time into a thing of this kind.

The Senator knows I am a regular. I go wrong with the President, even though sometimes it grinds and grinds me to do it, because I am regular. I think that is the best way always to have party government in the United States.

But I will exhaust the 10 minutes I have left. I will ask the Senator please not to lead me astray any more. [Laughter.]

FORDNEY-M'CUMBER LAW

How about the present law? I might cite dozens of speeches to set forth the prophecies of woe uttered in the House and

Senate during the long tariff debate in 1922. Time and space forbid, but I want to set forth just two in order to show the cocksureness of the attitude of Democratic leaders at that time as to the effect the present law would have on our foreign commerce in general and on our trade with Canada in particular.

On the 5th day of June, 1922, Senator SIMMONS, of North Carolina, whose defeat we all mourn, who had theretofore been chairman of the Finance Committee and was the real spokesman of his party on the tariff question on the floor of the Senate, uttered this language. I call particular attention to it because of his standing in the councils of his party, his knowledge of tariff and revenue questions generally, and his ability to handle all matters pertaining to financial legislation. Listen carefully to this language, and then in a moment or two, when I give the figures, reflect upon the vast space between his prophecies and the actual fulfillment:

But the objective of the bill and its rates is to curtail or exclude the products of Europe, mostly manufactures. I repeat, the main purpose of this bill is to exclude imports from the European continent, and I make the prediction now that if this bill passes, our imports from Europe will dwindle to a fraction of what they are to-day, and when that happens, in the condition in which Europe finds herself now, without gold to pay us, with impaired credit, with practically no way of liquidating her purchases except by exchange of products, we may look for a disastrous slump in our export business to Europe, just as has already taken place in our export and our import business with Canada.

I call specific attention to the dark prophecies solemnly made by this leader of the Democratic Party on the tariff question on this floor that, "if this bill passes, our imports from Europe will dwindle to a fraction of what they are to-day," and that "we may look for a disastrous slump in our export business to Europe."

At this point Senator KING, of Utah, interrupted him with a question. During the five months of debate on the tariff question in the Senate the Senator from Utah delivered dozens of speeches, occupying in the aggregate days of time, and all of them were taken up largely in heaping maledictions upon the heads of advocates of the tariff, setting forth a campaign of exploitation and spoliation then under way, the Senator literally consuming himself by the fervor of his own superheated imagination, reaching out apparently into the empty void for fiery utterances that would enable him adequately and graphically to set forth the freezing terrors about to be fastened on the Republic by the passage of that measure.

Senator KING interrupted Senator SIMMONS to say:

As a further result of this unwise and impolitic economic policy, I direct the Senator's attention to a fact which perhaps he has discussed, and which no doubt has suggested itself to the able Senator many times, that when those nations with which we have been dealing, and who have been taking our products in the past, are forced by our unwise legislation from our markets, and are perforce compelled to find a market elsewhere, the result will be that in a few years they will be cut off entirely, even though we would be willing to trade, because they will have developed new avenues of trade and new fields in which they will make their purchases and where they will make disposition of their surplus products.

Senator SIMMONS replied:

That is self-evident. If we shut English manufactured products out of this country, of course they will seek a market in South America, and if they find a market in South America instead of here, England will buy her agricultural products from South America instead of from us.

And with what astounding results in view of these positive and unequivocal prophecies! In 1922 our total exports amounted to \$3,831,000,000. In 1929 they had climbed to \$5,241,000,000, or an increase of \$1,409,000,000 in the value of what we sold abroad, notwithstanding the direct and positive assertion of Senator SIMMONS that if we passed that law our trade with Europe would be practically obliterated.

In the face of all these oft-repeated assertions that we would not be able to buy abroad because of this high protective-tariff wall we had erected, we increased our imports under the Fordney-McCumber law from \$3,112,000,000, in 1922, to \$4,400,000,000, in 1929, or \$1,287,000,000, or a total increase of our imports and exports under the existing act, right in the teeth of all these doleful prophecies of woe, from \$6,944,000,000, in 1922, to \$9,651,000,000, in 1929, or a total increase of \$2,606,864,000, in what we bought and sold to the other peoples of the world. Yet the same Senators for months have stood upon this same floor to utter these same predictions as to the results of the passage of the pending legislation. Why can they not learn anything from history, from the record of the past; from things which have actually happened, events which have really taken place?

Our friend, Senator SIMMONS, was no more fortunate in his predictions about our trade with Canada than about our entire foreign commerce. In the same speech he said:

If we shut out English manufactures from this market, they will seek a market in Canada, and they will buy their agricultural products from Canada instead of from us. The same thing will happen with reference to Australia and Brazil and every other country where manufacturing is not highly developed and where agriculture is. If, in other words, we cut off our British imports of manufactured products as the result of this tariff, that does not mean that the British are not going to continue to make those products and sell them, but it means that they are going to sell them in some other market. It will be in the market of an agricultural country, and they will buy their agricultural products in that country instead of buying them in this country.

Mr. President, we not only have lost practically one-half of our trade with our neighbor, Canada, the best customer we had in the world except Europe, but we are going to lose a great deal more of that trade. Right now the authorities of Canada, I am advised, are preparing to promulgate a new preferential tariff in behalf of Great Britain. Instead of giving her the comparatively moderate preference she now enjoys, hereafter Great Britain is to have a preferential tariff rate of 50 per cent over the United States and other countries. If that happens, then we are going to lose, and lose to Great Britain, by reason of a stupid discrimination in tariff imposed here, a large part of the balance of this great and valuable trade we have so long enjoyed. We are going to lose, to a large extent at least, the best customer we have in the world to-day except one for our surplus manufactured products.

What happened after all he said. In 1922 our imports from Canada amounted to \$364,000,000; in 1929 to \$505,000,000, an increase of \$141,000,000. In 1922 our exports to Canada amounted to \$576,687,000; in 1929 they had risen to \$948,501,000, or an increase in seven years of \$371,814,000. In 1922 our total commerce with Canada amounted to \$940,712,000; in 1929 to \$1,453,778,000, an increase in seven years of \$513,066,000, or more than 50 per cent of the total commerce of 1922; and both our imports from and our exports to Canada have increased every year from the time the Senator from North Carolina uttered those prophecies down to this glad hour.

Yet but a few weeks ago the same Senator stood on this floor and uttered the same prophecies about our trade with Canada.

I wish I could quote at length my friend the junior Senator from Utah [Mr. KING]. He spoke for hours and hours on the subject. We had the bill before us five months, and he filled the air with these doleful prophecies of the things that were going to happen to us if we passed the bill, none of which ever existed save in the perfervid imagination of my distinguished Senator from Utah.

#### FOREIGN PROTESTS

My friend the Senator from Mississippi [Mr. HARRISON], and also my friend the Senator from Oklahoma [Mr. THOMAS], have been terribly distressed because of the foreign protests which have come in. I have not time to argue that matter fully, but I want to state just a few of the high points.

Let it be remembered that 66 per cent of all the imports coming into this country under the present law come in free of duty. Only 34 per cent of all we buy will pay a tariff. This policy of isolation gentlemen talk about, this policy of shutting ourselves off from Europe they discuss, is all the height of absurdity, in view of the statement that 66 per cent, or two-thirds of all we bring in, comes in absolutely free of any tariff exaction, and that but one-third pays any tariff rate at all.

I can not recite in full the story of the protests which came when the Dingley bill was pending, when 31 nations protested, or the protests against the Payne-Aldrich tariff bill, when 40 nations protested. But when the present law, the Fordney-McCumber bill, was under consideration what happened? I desire to quote from the New York Times, a very ably edited paper, and as fair as a paper can be which lives and breathes and has its being in that sort of atmosphere.

This is what happened. The representatives of 37 nations got together and held a meeting in New York to protest against the passage of the Fordney-McCumber tariff bill. They did not want to meet on American soil and be subject to that criticism, so they got a boat and went out beyond the harbor limits, where they held a banquet and spoke about what was going to happen under the proposed tariff law. This is what the Times said:

The anxiety which European nations feel over the possibilities of a prohibitive American tariff was expressed yesterday by the French and British consuls at this port at a luncheon given by the New York Board of Trade and Transportation to the representatives of 37 governments.

"It is as much in your interest as in ours that your Government deal fairly with this matter," said Gaston Liebert, consul general for

France. "We all hope that the tariff you adopt will not be an insurmountable barrier to imports and thus, also, to exports."

"All the European countries are in urgent need of recreating riches, and the only way they can recreate riches is to export to America, which has all the gold, all the riches of the world."

The English consul rose and said the same thing, and the 37 representatives adopted resolutions. Not only that, but the very next day Sir Auckland Geddes, the British ambassador, made a speech in Chicago in which he inveighed against our protective tariff policy and said that it would destroy our imports and exports to and from England.

Ambassador Vittori Rolandi Ricci, the Italian ambassador, made a speech the next day in which he suggested that exports to and imports from Italy were going to be cut off if we passed that tariff measure.

Mr. President, I called attention to that on the floor of the Senate. The Senator from Idaho [Mr. BORAH] will well remember that, because I spoke to him about it. I went up to see Secretary of State Hughes about it and complained that these foreigners were over here attempting to dictate the policy of our country, and the other day two of them entered protests against the pending bill. I thought then that their mouths ought to be closed. The representatives of foreign governments have no right to tell us how to run our institutions and our domestic affairs.

Not only did those two ambassadors, and the representatives of those 37 countries at a banquet, voice their protests against the passage of the bill at that time but a large number of paid writers and lecturers were traveling all over the United States speaking wherever an opportunity was presented, fighting against our tariff policy in general and the Fordney-McCumber bill in particular. Newspapers and magazines teemed with articles by Nevinson, Gibbs, Gardiner, Repington, and at least a dozen other British publicists and writers exploiting the British doctrine and inveighing in caustic terms and unmitigated fashion against the protective tariff doctrine in general. There you have it. It is the American doctrine as against the foreign one. It is our idea as to what we shall do with our own Government as against the interference of all other governments. I desire as one Senator to resent interference from abroad in our domestic affairs.

While they were uttering these protests, England was putting a tariff on 6,000 imports, some positive embargoes, some with rates higher than any we then proposed or now have, and others partially protective. They still have them, and yet are protesting against the rates proposed in this measure.

One of the countries protesting against this act is Australia. On the 4th day of April of this year, however, that country put into effect a tariff act consisting of four parts: First, a prohibition of importation of certain articles except with the written consent of the Minister of Trade and Customs; second, rationing of the importation of their commodities on a basis of 50 per cent of the volume of imports for the 12 months previous to March, 1930; third, an increase of 50 per cent of the existing import duties on a list of their commodities; and, fourth, a rationing of the importation of others in addition to an increase in duty. It is the old story of the foreigner trying to regulate our tariff law, holding them down to as low a level as possible, while at the same time no matter from what nation he comes, he is putting his up to as high a rate as possible and not absolutely prevent importation.

#### CONCLUSION

The pending bill meets the prescription of the President for a tariff on competitive articles where there is injurious competition equal to the difference in labor costs at home and abroad; in fact, it falls short of that prescription in many instances at a time when Europe, adopting our mass production and management methods, is preparing an invasion of our markets, which, unless halted, will greatly intensify our unemployment situation.

Only recently Henry Ford and Alfred P. Sloan, president of the General Motors, have issued statements denouncing the pending bill. Henry Ford is a genius and a wizard in invention and production, but helpless in political problems. However, he certainly knows which side his bread is buttered on, and does not intend if the bread falls that the buttered side shall be next to the ground. He has recently moved all of his tractor production to Ireland, where labor costs are just half what they are in Detroit. General Motors have made a tie-up with the German motor industry, where wages are only about 40 per cent of what they are here. The motives of these international financiers and industrialists are obvious, and portend only unemployment or cheapened labor in this country.

In other words, these great masters of production, after having enriched themselves and their corporations in this country,

are using the wealth they thus obtained to set up competitive institutions in foreign countries and produce their products by men who receive from one-fourth to one-half the wages paid in their factories in the United States. They want free trade in those articles in order that they may compete in our market with the products of their own mills in this country, where they pay 50 per cent more wages than in producing the competing products in foreign countries. They thus want to use the wealth they obtained in the United States to destroy the very conditions which made possible the accumulation of that wealth by transferring to foreign nations that production.

The whole of internationalism is of one piece. The third article of the League of Nations covenant calls for the removal of trade barriers and for equality of economic opportunities for nations, involving a leveling of wages and living standards throughout the world, with manifest great sacrifice of our standards of living and wages in America. This is the big objective of all this foreign program. The assault on our tariff is a part of the movement which, if successful, would put such a strain on our economic and social order that it would necessarily blow up and would kill the goose that laid the golden eggs for these international bankers and industrialists themselves.

Let us stick to the protective-tariff system. It has been the policy of the Government four-fifths of the time from Washington's day down to this. Under it we have prospered as no other nation in the recorded history of the earth has prospered, until to-day our people are the wonder and the envy of the earth.

It is quite true that we are in the midst of a financial depression produced by manifest causes that I shall not here discuss and which do not pertain to this subject, but I here and now predict, and I ask my fellow Senators to recall this prediction in the days to come, that if this bill is passed this Nation will be on the upgrade financially, economically, and commercially within 30 days, and that within a year from this time we shall have regained the peak of prosperity and the position we lost last October, and shall again resume our position as the first and foremost of all the peoples of history in all the essential elements of individual and national greatness.

Mr. President, I ask unanimous consent to have inserted in the RECORD a memorandum furnished by the Department of Commerce.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF COMMERCE,  
BUREAU OF FOREIGN AND DOMESTIC COMMERCE,  
DIVISION OF FOREIGN TARIFFS,  
Washington, April 11, 1930.  
Memorandum

#### AUSTRALIAN IMPORT PROHIBITIONS AND TARIFF INCREASES EFFECTIVE APRIL 4, 1930

The expected further measure of tariff revision announced last fall by the Australian Minister for Trade and Customs to take place in the spring of 1930 for the purpose of supplementing the general tariff revisions of November 22 and December 12, 1929, was promulgated April 3, 1930, and became provisionally effective the following morning. The revision as introduced into the Australian Parliament comes into operation provisionally, pending the formal ratification by that body, upon importations, excepting those already in bond in Australia or shipped from the country of origin before April 4, and consists of four parts: (1) A prohibition of importation of certain articles, excepting with the written consent of the Minister for Trade and Customs previously obtained; (2) rationing of the importation of other commodities on a basis of 50 per cent of the volume of imports for the 12 months previous to March 31, 1930; (3) an increase by 50 per cent of the existing import duties on a list of other commodities; and (4) a rationing of the importation of others, in addition to an increase in the duty.

The following items are those falling within the prohibited class:

Foodstuffs: Biscuits; cheese; confectionery; eggs in shell or otherwise; lemons and oranges; dried fruits, excepting dates and figs; fruits preserved in liquid; vegetables, salted or preserved in liquid or partly preserved or pulped; corn flour; jams and jellies; jelly crystals and powders; lard and edible fats; meats preserved in tins and other airtight containers; pork preserved by cold process; milk in dried or powdered form, malted milk; prepared coconuts; peanut butter; onions; pickles, sauces, and chutney; starch and starch flour; custard powders; and vinegar.

Metal manufactures: Barbed wire; bolts, nuts, and rivets; engineers' set screws; rail dogs and spikes; wire and other nails; plated ware other than spoons, forks, and cutlery; aluminum ware other than spoons and forks; cast-iron pipes and cast-iron pipe fittings; shafting other than flexible; iron and steel beams, channels, girders, joists, columns; trough and bridge iron and steel.

Agricultural implements: Cultivators, except hand-worked cultivators, harrows, stump-jump plows, drills (fertilizer, seed, and grain),

reaper threshers and harvesters, including stripper harvesters; horse-drawn hayrakes, chaff cutters, and horse gears; agricultural scarifiers.

Electrical equipment: Wireless receiving sets, partly or wholly assembled wireless head phones; batteries, including dry cells and accumulators; electric smoothing irons.

Miscellaneous: Glucose; laundry blue; candles; canary seed; soap and soap substitutes; furs and other skins, partly or wholly made into apparel or other articles; blankets (excepting printers' blankets) and blanketing rugs, except floor rugs; curtains; textile blinds, tents, and sails; petrol pumps, including parts therefor; electric and gas cooking and heating appliances; tile baths and sinks; opal sheet glass; sanitary and lavatory articles of earthenware and glazed or enameled fire clay; glue, cements, and prepared adhesives; gelatine, all kinds; acetic acid; and Portland cement.

In the case of the following articles the importation is restricted to 50 per cent of the volume of imports of the 12 months' period previous to and ending March 31, 1930. Permits are being issued to importers authorizing this importation. The restricted articles are the following:

Perfumed spirit and bay rum; unfermented grape wine; manufactured tobacco, cigars, cigarettes, snuff; matches and vestas, including book matches; and locomotives.

The following are among the articles subject to an increase of 50 per cent of the present duties:

Textiles: Piece goods for the manufacture of apparel knitted in tubular form or otherwise, of cotton, silk or containing silk, artificial silk or containing artificial silk or being an admixture of wool with other fibers; artificial flowers, fruits, plants, leaves, and grains, of all kinds and materials, parasols, sunshades, and umbrellas; certain wearing apparel.

Polishes and paints: Blacking, dressings, and polishes for boots, shoes, and other articles of attire; dressings, inks, stains, pastes, and polishes for leather, furniture oils, pastes and polishes, floor polishes, bronzing and metal liquids; knife, metal, and stove polishes; tallow and greases, including axle greases and unrefined tallow; putty, kalsomine, water paints and distempers, in powder form; paints and colors ground in liquid and prepared for use, sheep marking oils, enamels, enamel paints and glosses, and white lead, dry or ground in oil; varnishes, varnish and oil stains, lacquers, japans, Berlin, Brunswick and stoving blacks and substitutes therefor, liquid sizes, patent knotting, oil and wood finishes, petrifying liquids, lithographic varnish, printers' ink reducer, terebine, liquid dryers, gold size and liquid stain for wood.

Toilet preparations: Perfumery, petroleum jelly, and toilet preparations (perfumed or not) not otherwise specified, spirituous or not; perfumes, artificial (synthetic), in concentrated form, including synthetic essential oils, and mixtures of synthetic and natural essential oils, nonspirituous; perfumed spirits and bay rum.

Wood manufactures: All manufactures of wicker, bamboo, and cane, not otherwise specified, including bamboo rules; all articles of wood not otherwise specified, and most furniture; photograph frames and stands.

Fancy goods: Card cases, cigar and cigarette cases, tubes and holders, hatpins, match boxes, purse, snuff and tobacco boxes, wholly or partly of gold or silver, except gold or silver plated and rolled gold, and similar articles; articles used for outdoor and indoor sporting games, including toys; precious stones, unset, including pearls, jewelry, and imitation jewelry, gramophones, phonographs, and other talking machines, and records therefor; cinematographs not otherwise specified, including arc lamps; grand, upright, and player pianos; bags, baskets, boxes, cases, trunks, purses, wallets, traveling, and sporting bags, jewelry boxes and similar articles; cameras and magic or optical lanterns.

Leather and rubber manufactures: Harness, razor strops, and whips; buggy saddles; leather, rubber, canvas, and composition belting, and green hide for belting and other purposes; goloshes, rubber sand boots, shoes, and plimsolls; boots, shoes, slippers, clogs, pattens, and other footwear (of any material) not otherwise specified, including uppers, tops, and soles; rubber boots; pneumatic rubber tires and tubes therefor.

Paper manufactures and stationery: Paper wrappings of all colors (glazed, unglazed, and millglazed), browns, caps, sulphites, and sugars and all other bag papers, paper felt, and paper bags, not otherwise specified; strawboard, corrugated and other; manufactures of paper, or partly manufactured of paper, including framed, or not framed, having advertisements thereon, including price lists, catalogues, circulars, posters, pictures for calendars, almanacs and diaries, directories, paper patterns, printed tickets, billheads and other printed and ruled forms, printed wrapping paper, paper patty pans, and paper containers; manufactured stationery, including bill files, albums, cards and booklets, menus, Christmas cards and similar kinds, paper knives, memorandum slates and tablets, sealing and bottling wax, postcards, bookmarks, writing cases, paper binders, and penracks.

Motor vehicles: Motor cycles and motor-cycle frames, whether partly or wholly finished (but not including rubber tires and tubes); automobile bodies, assembled chassis, and automobile parts, not being parts of an unassembled chassis.

Miscellaneous: Matches and vestas of all kinds; refrigerators and parts of refrigerators; glassware not otherwise specified; brooms, whisks, and mops; hair, cloth, tooth, rubbing, paint, varnish, nail, and other brushes; cordage, rope, and twine; cartridges and fireworks;

yachts not otherwise specified, launches, and boats; straw envelopes and unfermented grape wine.

The written consent of the Minister for Trade and Customs has been given for the importation of goods the produce or manufacture of New Zealand, Paqua, and New Guinea, imported direct.

(Additional details may be obtained from district offices of the Bureau of Foreign and Domestic Commerce and from the division of foreign tariffs in Washington. Further announcements will be made as available.)

Mr. BLAINE. Mr. President, the same end will be obtained by a vote on the conference report as would be obtained by a vote upon my motion to recommit. I therefore withdraw my motion to recommit the conference reports to the conferees.

The VICE PRESIDENT. The hour of 2 o'clock having arrived, under the unanimous-consent agreement previously entered into the question is on the adoption of the conference reports. The yeas and nays have already been ordered. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. CUTTING (when his name was called). On this question I have a pair with the junior Senator from North Dakota [Mr. Nye]. The junior Senator from North Dakota if present would vote "nay." If I were permitted to vote, I would vote "yea."

Mr. HATFIELD (when Mr. Goff's name was called). My colleague the senior Senator from West Virginia [Mr. Goff] is absent on account of illness. He is paired with the senior Senator from Iowa [Mr. STECK]. If my colleague were present, he would vote "yea." If the senior Senator from Iowa were present, he would vote "nay."

Mr. MOSES (when his name was called). I have a general pair with the junior Senator from Utah [Mr. KING]. He being absent on account of illness, I withhold my vote. If permitted to vote, I would vote "yea."

Mr. WATSON (when his name was called). I have a general pair with the senior Senator from South Carolina [Mr. SMITH]. He is at home ill and can not be present. If he were here, he would vote "nay." I can secure no transfer of my pair, and therefore withhold my vote. If I were permitted to vote, I should vote "yea."

The roll call was concluded.

Mr. FESS. On this vote the junior Senator from Maine [Mr. GOULD] is paired with the junior Senator from South Carolina [Mr. BLEASE]. If those Senators were present, the Senator from Maine [Mr. GOULD] would vote "yea" and the Senator from South Carolina [Mr. BLEASE] would vote "nay."

Mr. SHEPPARD. The Senators from South Carolina [Mr. SMITH and Mr. BLEASE] are both necessarily absent, the senior Senator [Mr. SMITH] by reason of illness and the junior Senator [Mr. BLEASE] because of illness in his family. Both Senators if present would vote "nay." The senior Senator from South Carolina [Mr. SMITH] is paired with the senior Senator from Indiana [Mr. WATSON] and the junior Senator from South Carolina [Mr. BLEASE] is paired with the junior Senator from Maine [Mr. GOULD].

The senior Senator from Iowa [Mr. STECK] is necessarily delayed on account of important matters in his State. If present, he would vote "nay." He is paired with the Senator from West Virginia [Mr. Goff].

The junior Senator from Utah [Mr. KING] is unavoidably detained from the Senate. He is paired against the bill. If present, he would vote "nay."

The result was announced—yeas 44, nays 42, as follows:

#### YEAS—44

Allen	Glenn	Kendrick	Robison, Ky.
Baird	Goldsbrough	Keyes	Shortridge
Bingham	Greene	McCulloch	Smoot
Broussard	Grundy	McNary	Steiner
Capper	Hale	Metcalf	Sullivan
Couzens	Hastings	Oddie	Thomas, Idaho
Dale	Hatfield	Patterson	Townsend
Deneen	Hebert	Phipps	Trammell
Fess	Johnson	Ransdell	Vandenberg
Fletcher	Jones	Reed	Walcott
Gillett	Kean	Robinson, Ind.	Waterman

#### NAYS—42

Ashurst	Dill	McKellar	Simmons
Barkley	Frazier	McMaster	Stephens
Black	George	Norbeck	Swanson
Blaine	Glass	Norris	Thomas, Okla.
Borah	Harris	Overman	Tydings
Bratton	Harrison	Pine	Wagner
Brock	Hawes	Pittman	Walsh, Mass.
Brookhart	Hayden	Robinson, Ark.	Walsh, Mont.
Caraway	Hellin	Schall	Wheeler
Connally	Howell	Sheppard	
Copeland	La Follette	Shipstead	

#### NOT VOTING—10

Bleas	Gould	Nye	Watson
Cutting	King	Smith	
Goff	Moses	Steck	

So the two conference reports were agreed to.

Mr. SMOOT. Mr. President, I send to the desk a concurrent resolution and ask for its immediate consideration.

The concurrent resolution (S. Con. Res. 31) was read, considered by unanimous consent, and agreed to, as follows:

*Resolved by the Senate (the House of Representatives concurring), That the bill (H. R. 2667) to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, to protect American labor, and for other purposes, as enrolled and presented to the President of the United States for approval, be printed as a Senate document with an index and that 9,000 additional copies be printed, of which 2,000 shall be for the Senate document room, 5,000 for the House document room, 1,000 for the Committee on Finance of the Senate, and 1,000 for the Committee on Ways and Means of the House of Representatives.*

#### TRIBUTES TO SENATOR SMOOT AND SENATOR SIMMONS

Mr. WALSH of Massachusetts. Mr. President, I do not feel that the record in connection with the consideration and disposition of the tariff bill should be ended without a word of public commendation and approval of the patience and the industry which have been manifested by the able Senator from Utah [Mr. Smoot], who has had charge of the bill for the majority party in the Senate. Very naturally a good many hard blows have been struck. The Senator from Utah has manfully fought his party's battle. Sometimes I have felt that some of the blows were of such a character that the Vice President might well have declared a foul, but through all the long months of debate the Senator from Utah has been patient, kind, and courteous. These qualities have won the commendation and approval of all his colleagues. I do not think in the long history of the Senate debates there has ever before been a Senator called upon to conduct a long, protracted, tiresome, wearisome leadership such as the Senator from Utah was drafted to carry on. He has been a good soldier.

Therefore, Mr. President, I want, in my own behalf and in behalf of many other Senators who have spoken to me in reference to the matter, publicly to express our approval and our commendation of the great patience and the intense industry of the Senator from Utah. I sincerely hope that he will seize the first opportunity available to get the comfort and rest he has so well earned, for I fear that the burdens which he has been obliged to carry have been, and naturally and necessarily must have been, taxing to his health. We all, regardless of party or our views with respect to the merits of the bill that has just been disposed of, so far as the Senate is concerned, pay just recognition to his devoted service to duty, for he has proven himself a Gibraltar of patience and industry.

Congratulations are also due the minority leader of the Finance Committee [Mr. SIMMONS] for the able and devoted service he has rendered his country during the consideration of this important, complicated, and controversial question.

Mr. SIMMONS. Mr. President, as the ranking Democrat upon the Finance Committee, I wish to bear testimony to the fact that both in the committee meetings, which were long, tiresome, and sometimes irritating, and upon the floor of the Senate during the long months we have been considering the tariff measure, the Senator from Utah has not only shown remarkable patience but, so far as I have been able to judge, has been absolutely fair in his treatment of Senators on the minority side of the Chamber. I wish on behalf of Senators on this side to extend our greetings to him and our thanks for the many courtesies he has extended to us and for the fairness which he has displayed during these discussions. Provoking as they have sometimes been, the Senator from Utah has maintained his equilibrium and his spirit of fairness.

Mr. SWANSON. Mr. President, I wish to say that I concur fully in the deserved encomiums which have been delivered upon the distinguished Senator from Utah; but before these tributes shall have been concluded, speaking for myself, and, I think, for the Democratic minority, I wish also to express our appreciation of the ability, the courage, and the consistency with which the Senator from North Carolina [Mr. SIMMONS] has led the Democrats in their opposition to the bill. He has conducted a gallant fight for which and for the manner in which he has presented and adhered to the principles of Democracy as applying to the tariff bill. I wish to register my profound appreciation.

Mr. WATSON. Mr. President, now that the battle is over and we gather around the campfire to discuss the campaign, I desire to say that I feel it is a very graceful and generous act on the part of the distinguished Senator from Massachusetts [Mr. WALSH] to pay a tribute to the Senator from Utah [Mr. Smoot], who, throughout this long struggle, has been the leader in the tariff fight on this side of the Chamber. During

the debate the Senator from Utah has shown a comprehensive knowledge of the subject that I have never known to be surpassed by any other man in the entire history of tariff discussion. As a Member of the body at the other end of the Capitol and as a Member of this body I have heard many tariff debates, but I wish to say that no man before ever had thrust upon him and willingly accepted all the burdens of a tariff discussion as has been done by the Senator from Utah throughout this protracted struggle. His knowledge of the details of every rate amazed us every day.

Of course, we also were all astonished at his physical endurance. I went to him time and again and plead with him to let the Senate adjourn so that he might go home and secure a much-needed rest, for I thought he was wearing out, but he always replied in the same fashion, "I have got this job on my hands, and I intend to finish it." So, like a martyr, he stood here to go through with what he conceived to be his duty.

I think the Senator from Massachusetts has done well from the other side of the aisle to pay this just tribute to the Senator from Utah, who has so ably conducted this fight and has so unflinchingly stood by what he conscientiously believed to be his duty.

#### BATTLE OF THE MONONGAHELA COMMISSION

The VICE PRESIDENT appointed the Senator from Pennsylvania [Mr. REED] and the Senator from Maryland [Mr. TYDINGS] as members, on the part of the Senate, of the Battle of the Monongahela Commission, established by the provisions of House Joint Resolution 171, approved April 21, 1930.

#### EXECUTIVE MESSAGES

Messages in writing were communicated to the Senate from the President of the United States by Mr. Latta, one of his secretaries.

#### RIVER AND HARBOR BILL

Mr. JOHNSON. Mr. President, I move that the Senate proceed to the consideration of the bill (H. R. 11781) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce with amendments.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Haltigan, one of its clerks, announced that the House had passed without amendment the following bills of the Senate:

S. 4050. An act to confer full rights of citizenship upon the Cherokee Indians resident in the State of North Carolina, and for other purposes; and

S. 4583. An act to amend the act entitled "An act authorizing the construction of a bridge across the Missouri River opposite to or within the corporate limits of Nebraska City, Nebr.," approved June 4, 1872.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 4140) providing for the sale of the remainder of the coal and asphalt deposits in the segregated mineral land in the Choctaw and Chickasaw Nations, Oklahoma, and for other purposes.

#### ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

The message further announced that the Speaker had affixed his signature to the following bills and joint resolutions, and they were signed by the Vice President:

S. 174. An act to provide for the establishment of a branch home of the National Home for Disabled Volunteer Soldiers in one of the Southern States;

S. 465. An act to give war-time rank to retired officers and former officers of the Army, Navy, Marine Corps, and/or Coast Guard of the United States;

S. 1268. An act to extend the times for commencing and completing the construction of a bridge across the Wabash River, at or near Vincennes, Ind.;

S. 1458. An act for the relief of the State of Florida;

S. 3810. An act to provide for the commemoration of the termination of the War between the States at Appomattox Court House, Va.;

S. 3965. An act to authorize the Secretary of War to grant an easement to the Wabash Railway Co. over the St. Charles rifle range, St. Louis County, Mo.;

S. 4046. An act authorizing the erection, maintenance, and use of a banking house upon the United States military reservation at Fort Lewis, Wash.;

S. 4157. An act to extend the times for commencing and completing a bridge across the Tennessee River at or near Chattanooga, Hamilton County, Tenn.;

S. 4196. An act to authorize the construction, maintenance, and operation of a bridge across the St. Francis River in Craighead County, Ark.;

S. 4269. An act authorizing the Commonwealth of Kentucky, by and through the State Highway Commission of Kentucky, or the successors of said commission, to acquire, construct, maintain, and operate bridges within Kentucky and/or across boundary line streams of Kentucky;

S. 4585. An act authorizing the State of Florida, through its highway department, to construct, maintain, and operate a free highway bridge across the Choctawhatchee River, near Freeport, Fla.;

H. R. 692. An act for the relief of Ella E. Horner;

H. R. 827. An act for the relief of Homer C. Rayhill;

H. R. 885. An act for the relief of George F. Newhart, Clyde Hahn, and David McCormick;

H. R. 969. An act to amend section 118 of the Judicial Code to provide for the appointment of law clerks to United States circuit judges;

H. R. 972. An act to amend an act entitled "An act providing for the revision and printing of the index to the Federal Statutes," approved March 3, 1927;

H. R. 1499. An act for the relief of C. O. Crosby;

H. R. 2030. An act to authorize an appropriation for the purchase of land adjoining Fort Bliss, Tex.;

H. R. 3203. An act to authorize the city of Salina and the town of Redmond, State of Utah, to secure adequate supplies of water for municipal and domestic purposes through the development of subterranean water on certain public lands within said State;

H. R. 4020. An act to authorize the Secretary of the Interior to investigate and report to Congress on the advisability and practicability of establishing a national park to be known as the Upper Mississippi National Park, in the States of Iowa, Illinois, Wisconsin, and Minnesota;

H. R. 4469. An act for the relief of Second Lieut. Burgo D. Gill;

H. R. 5190. An act to enable the Postmaster General to authorize the establishment of temporary or emergency star-route service from a date earlier than the date of the order requiring such service;

H. R. 6124. An act to provide for the reconstruction of the Army and Navy Hospital at Hot Springs, Ark.;

H. R. 6186. An act for the relief of Frank Storms;

H. R. 6651. An act for the relief of John Golomblewski;

H. R. 7299. An act for the relief of Hannah Odekirk;

H. R. 7464. An act for the relief of Robert R. Strehlow;

H. R. 7484. An act for the relief of Edward R. Egan;

H. R. 8591. An act for the relief of Henry Spight;

H. R. 8855. An act for the relief of John W. Bates;

H. R. 9169. An act for the relief of the successors of Luther Burbank;

H. R. 9198. An act to remove cloud as to title of lands at Fort Lytleton, S. C.;

H. R. 9300. An act to authorize the Postmaster General to hire vehicles from village delivery carriers;

H. R. 9425. An act to authorize the Secretary of War to donate a bronze cannon to the city of Martins Ferry, Ohio;

H. R. 10375. An act to provide for the retirement of disabled nurses of the Army and the Navy;

H. R. 10780. An act to transfer certain lands to the Ouachita National Forest, Ark.;

H. R. 11007. An act to amend the act of August 24, 1912 (ch. 389, par. 7, 37 Stat. 556; U. S. C., title 39, sec. 631), making appropriations for the Post Office Department for the fiscal year ending June 30, 1913;

H. R. 11082. An act granting a franking privilege to Helen H. Taft;

H. R. 11134. An act to amend section 91 of the act entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900, as amended;

H. R. 11273. An act to extend the times for commencing and completing the construction of a bridge across the Des Moines River at or near Croton, Iowa;

H. R. 11274. An act to amend section 305, chapter 8, title 28, of the United States Code, relative to the compilation and printing of the opinions of the Court of Customs and Patent Appeals;

H. R. 12440. An act providing certain exemptions from taxation for Treasury bills;

H. J. Res. 289. Joint resolution providing for the participation of the United States in the celebration of the one hundred and fiftieth anniversary of the siege of Yorktown, Va., and the surrender of Lord Cornwallis on October 19, 1781, and authorizing

an appropriation to be used in connection with such celebration, and for other purposes; and

H. J. Res. 340. Joint resolution extending the time for the assessment, refund, and credit of income taxes for 1927 and 1928 in the case of married individuals having community income.

#### REPORTS OF COMMITTEES

Mr. HOWELL, from the Committee on Claims, to which was referred the bill (S. 3206) for the relief of Rebecca Green, reported it without amendment and submitted a report (No. 900) thereon.

Mr. GLENN, from the Committee on Claims, to which was referred the bill (H. R. 3644) for compensation in behalf of John M. Flynn, reported it without amendment and submitted a report (No. 901) thereon.

Mr. BLACK, from the Committee on Claims, to which were referred the following bills, reported them severally with an amendment and submitted reports thereon:

S. 3472. A bill for the relief of H. F. Frick and others (Rept. No. 903);

S. 4598. A bill for the relief of Lowela Hanlin (Rept. No. 904); and

H. R. 745. An act for the relief of B. Frank Shetter (Rept. No. 905).

Mr. BLACK also, from the Committee on Claims, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

H. R. 1312. An act for the relief of J. W. Zornes (Rept. No. 906);

H. R. 1481. An act for the relief of James C. Fritzen (Rept. No. 907); and

H. R. 1494. An act for the relief of Maj. O. S. McCleary, United States Army, retired (Rept. No. 908).

Mr. PITTMAN, from the Committee on Foreign Relations, to which was referred the bill (S. 4584) for the relief of Ellwood G. Babbitt and other officers and employees of the Foreign Commerce Service of the Department of Commerce, who, while in the course of their respective duties, suffered losses of Government funds or personal property, by reason of theft, catastrophe, shipwreck, or other causes, reported it with amendments and submitted a report (No. 902) thereon.

Mr. KEYES, from the Committee on Public Buildings and Grounds, to which were referred the following bills, reported them each with an amendment and submitted reports thereon:

H. R. 7997. An act authorizing the purchase by the Secretary of Commerce of additional land for the Bureau of Standards of the Department of Commerce (Rept. No. 909); and

H. R. 11144. An act to authorize the Secretary of the Treasury to extend, remodel, and enlarge the post-office building at Washington, D. C., and for other purposes (Rept. No. 910).

Mr. KEYES also, from the Committee on Public Buildings and Grounds, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

H. R. 10416. An act to provide better facilities for the enforcement of the customs and immigration laws (Rept. No. 911); and

H. R. 11432. An act to amend the act entitled "An act to provide for the enlarging of the Capitol Grounds," approved March 4, 1929, relating to the condemnation of land (Rept. No. 912).

Mr. DALE, from the Committee on Commerce, to which were referred the following bills, reported them severally without amendment and submitted reports thereon as indicated:

H. R. 11591. An act to amend the act entitled "An act authorizing the construction of a bridge across the Missouri River opposite to or within the corporate limits of Nebraska City, Nebr.," approved June 4, 1872 (Rept. No. 913);

H. R. 11700. An act to extend the times for commencing and completing the construction of a bridge across the Mahoning River at or near Cedar Street, Youngstown, Ohio (Rept. No. 914);

H. R. 11786. An act to legalize a bridge across the Arkansas River at the town of Ozark, Franklin County, Ark. (Rept. No. 915); and

H. R. 11974. An act granting the consent of Congress to the Beaufort County Lumber Co. to construct, maintain, and operate a railroad bridge across the Lumber River at or near Fair Bluff, Columbus County, N. C.

Mr. NORBECK, from the Committee on Banking and Currency, to which was referred the bill (S. 3444) to amend the Federal farm loan act with respect to receiverships of joint-stock land banks, and for other purposes, reported it without amendment and submitted a report (No. 916) thereon.

#### CONSOLIDATION OF RAILROAD PROPERTIES

Mr. COUZENS, from the Committee on Interstate Commerce, to which was referred the resolution (S. Res. 290) authorizing the Committee on Interstate Commerce to make a study of and

investigate the matter of consolidation and unification of railroad properties, reported it without amendment, and moved that it be referred to the Committee to Audit and Control the Contingent Expenses of the Senate, which was agreed to.

#### ENROLLED BILLS PRESENTED

Mr. GREENE, from the Committee on Enrolled Bills, reported that to-day, June 13, 1930, that committee presented to the President of the United States the following enrolled bills:

S. 174. An act to provide for the establishment of a branch home of the National Home for Disabled Volunteer Soldiers in one of the Southern States;

S. 465. An act to give war-time rank to retired officers and former officers of the Army, Navy, Marine Corps, and/or Coast Guard of the United States;

S. 1268. An act to extend the times for commencing and completing the construction of a bridge across the Wabash River at or near Vincennes, Ind.;

S. 1458. An act for the relief of the State of Florida;

S. 3810. An act to provide for the commemoration of the termination of the War between the States at Appomattox Court House, Va.;

S. 3965. An act to authorize the Secretary of War to grant an easement to the Wabash Railway Co. over the St. Charles rifle range, St. Louis County, Mo.;

S. 4046. An act authorizing the erection, maintenance, and use of a banking house upon the United States military reservation at Fort Lewis, Wash.;

S. 4157. An act to extend the times for commencing and completing a bridge across the Tennessee River at or near Chattanooga, Hamilton County, Tenn.;

S. 4196. An act to authorize the construction, maintenance, and operation of a bridge across the St. Francis River in Craighead County, Ark.;

S. 4269. An act authorizing the Commonwealth of Kentucky, by and through the State Highway Commission of Kentucky, or the successors of said commission, to acquire, construct, maintain, and operate bridges within Kentucky and/or across boundary line streams of Kentucky; and

S. 4585. An act authorizing the State of Florida, through its highway department, to construct, maintain, and operate a free highway bridge across the Choctawhatchee River, near Freeport, Fla.

#### REPORT OF POSTAL NOMINATIONS

Mr. PHIPPS, as in executive session, from the Committee on Post Offices and Post Roads, reported post-office nominations, which were placed on the Executive Calendar.

#### BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. THOMAS of Oklahoma:

A bill (S. 4706) granting a pension to Strong-Wolf (with accompanying papers); to the Committee on Pensions.

By Mr. FRAZIER (by request):

A bill (S. 4707) to authorize the leasing of unallotted Indian lands for mining purposes; to the Committee on Indian Affairs.

By Mr. NORBECK:

A bill (S. 4708) to amend the act entitled "An act providing for a study regarding the construction of a highway to connect the northwestern part of the United States with British Columbia, Yukon Territory, and Alaska, in cooperation with the Dominion of Canada," approved May 15, 1930; to the Committee on Agriculture and Forestry.

By Mr. McKELLAR and Mr. BROCK:

A joint resolution (S. J. Res. 191) authorizing an appropriation for establishing and erecting a memorial to the pioneers who crossed the Great Smoky Mountains in the early history of the country, building a memorial highway from the Great Smoky Mountains National Park to the city of Knoxville, Tenn., and for other purposes; to the Committee on the Library.

#### RELIEF OF FOREIGN SERVICE OFFICERS—ELISE STEINIGER

Mr. MOSES submitted an amendment intended to be proposed by him to the bill (H. R. 10919) for the relief of certain officers and employees of the Foreign Service of the United States and of Elise Steiniger, housekeeper for Consul R. A. Wallace Treat, at the Smyrna consulate, who, while in the course of their respective duties, suffered losses of Government funds and/or personal property by reason of theft, warlike conditions, catastrophes of nature, shipwreck, or other causes, which was referred to the Committee on Foreign Relations and ordered to be printed.

#### RELIEF OF WORLD WAR VETERANS

Mr. COPELAND submitted an amendment intended to be proposed by him to the bill (H. R. 10381) to amend the World

War veterans' act, 1924, as amended, which was ordered to lie on the table and to be printed.

#### HOUSE BILL REFERRED

The bill (H. R. 11443) to provide for an Indian village at Elko, Nev., was read twice by its title and referred to the Committee on Indian Affairs.

#### MEMORIAL TO WILLIAM JENNINGS BRYAN

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the joint resolution (S. J. Res. 127) authorizing the erection on the public grounds in the city of Washington, D. C., of a memorial to William Jennings Bryan, which was, on page 2, after line 11, to insert:

SEC. 4. The memorial shall be erected under the supervision of the Director of Public Buildings and Public Parks of the National Capital, and all funds necessary to carry out its erection shall be supplied by the donors in time to permit the completion and erection of the memorial not more than three years after the site is reported available for the purpose.

Mr. HOWELL. I move that the Senate concur in the House amendment.

The motion was agreed to.

#### EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

#### PAYMENT OF CLAIMS OF SIOUX INDIANS

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 1372) authorizing an appropriation for payment of claims of the Sisseton and Wahpeton Bands of Sioux Indians, which was to strike out all after the enacting clause and insert:

That an appropriation of \$300,000 be, and the same is hereby, authorized to be paid out of any money in the Treasury not otherwise appropriated, the same to be in full settlement of all claims of the Sisseton and Wahpeton Bands of Sioux Indians on account of claims asserted by them and arising and growing out of the treaty of September 20, 1872 (Kappler's Indian Laws and Treaties, 2d ed., vol. 2, p. 1057): *Provided*, That out of said amount there shall be paid to the attorneys prosecuting said claims, as attorneys' fees, and to Joseph R. Brown and Ignatius Court, as representatives of said Indian tribes, such sums as to the Secretary of the Interior may appear just and equitable for services rendered in the prosecution of the claims of said Indian tribes under said treaty, not exceeding in all 10 per cent of the amount hereby appropriated.

The proceeds of the amount hereby authorized to be appropriated, less attorneys' fees and any amount that may be paid to said Joseph R. Brown and Ignatius Court, shall be deposited in the Treasury of the United States to the credit of said Indians and shall draw interest at the rate of 4 per cent per annum from the date of the approval of this act and shall be subject to appropriation by Congress for the use and benefit of said Indians.

Mr. FRAZIER. I move that the Senate concur in the House amendment with the amendment which I send to the desk, for which I ask immediate consideration.

The PRESIDENT pro tempore. The question is on the motion of the Senator from North Dakota that the Senate concur in the amendment of the House, with an amendment, which the clerk will state.

The CHIEF CLERK. At the end of the first paragraph of the House amendment it is proposed to insert the following:

*Provided further*, That before the Secretary of the Interior disburses any part of the appropriation herein authorized except as to compensation to attorneys, agent or agents, he shall first investigate and determine whether any Indians other than those listed on the rolls as members of the Sisseton and Wahpeton Bands of Sioux are members of the same and as such have any right to share in such appropriation, and in the event he shall so determine such other Indians shall be included within the Sisseton and Wahpeton Bands of Sioux for the purpose of the distribution of the fund herein provided for.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from North Dakota.

Mr. ROBINSON of Arkansas. Mr. President, may I ask the Senator in charge of the bill to state the effect of the amendment which he is proposing, as I understand, as an amendment to the amendment of the House of Representatives?

Mr. FRAZIER. Mr. President, this measure provided for the payment of the claim of the Sisseton and Wahpeton bands of Indians. Complaints came in from some Indians living in Montana claiming to belong to these bands, and the Senator

from Montana has asked that this amendment be incorporated in the bill, in order to protect certain residents of his State.

Mr. ROBINSON of Arkansas. Very well.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from North Dakota to concur in the amendment of the House of Representatives with the amendment which has been stated.

The motion was agreed to.

Mr. WALSH of Montana. Mr. President, I inquire if that disposes of the Sisseton and Wahpeton bill?

The PRESIDENT pro tempore. The Chair understands, an amendment having been adopted by the Senate to the amendment of the House of Representatives, that the bill will be messaged over to the House, and the House will take such action as it sees fit upon the amendment to the amendment, either by asking for the appointment of conferees or by concurring.

Mr. WALSH of Montana. I wanted to be correct about the situation. I supposed the amendment having been agreed to, the question would be whether the bill as amended should be adopted.

The PRESIDENT pro tempore. The Chair understands that was included in the motion made by the Senator from North Dakota.

#### COAL AND ASPHALT DEPOSITS IN CHOCTAW AND CHICKASAW LANDS

Mr. FRAZIER. I submit a conference report on the disagreeing votes of the two Houses on Senate bill 4140 and ask unanimous consent for its immediate consideration.

The PRESIDENT pro tempore. The report will be read.

The Chief Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 4140) providing for the sale of the remainder of the coal and asphalt deposits in the segregated mineral land in the Choctaw and Chickasaw Nations, Oklahoma, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendments numbered 4 and 6.

That the Senate recede from its disagreement to the amendment of the House numbered 2, and agree to the same.

Amendment numbered 1: That the Senate recede from its disagreement to the amendment of the House numbered 1, and agree to the same with an amendment as follows: In lieu of the matter inserted by the said amendment insert the following: "heretofore fixed by the Secretary of the Interior under the provisions of the act of Congress approved February 22, 1921 (41 Stat. 1107)"; and the House agree to the same.

Amendment numbered 3: That the Senate recede from its disagreement to the amendment of the House numbered 3, and agree to the same with an amendment as follows: In lieu of the matter stricken out by the said amendment insert the following: "has been heretofore or," and on page 2, line 18 of the bill, after the word "offered," insert the word "hereafter"; and the House agree to the same.

Amendment numbered 5: That the Senate recede from its disagreement to the amendment of the House numbered 5, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "either at public auction or private sale"; and the House agree to the same.

LYNN J. FRAZIER,  
W. H. McMASTER,  
HENRY F. ASHURST,

*Managers on the part of the Senate.*

SCOTT LEAVITT,  
W. H. SPROUL,  
JOHN M. EVANS,

*Managers on the part of the House.*

The PRESIDENT pro tempore. Is there objection to the immediate consideration of the conference report?

Mr. ROBINSON of Arkansas. Mr. President, I should like to be informed whether the conference report has been agreed to unanimously by the conferees.

Mr. FRAZIER. Yes; it is a unanimous report, and has been agreed to by the Senator from Oklahoma.

The PRESIDENT pro tempore. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

The PRESIDENT pro tempore. The question is on agreeing to the report.

The report was agreed to.

#### DISPOSITION OF CERTAIN LIGHTHOUSE SERVICE PROPERTY

Mr. JONES. Mr. President, House bill 11679 is of very great importance to the Lighthouse Service, and is of rather urgent character. The bill has passed the House and has been reported unanimously by the Committee on Commerce. I ask unanimous consent for its immediate consideration.

The PRESIDENT pro tempore. The bill will be stated by its title.

The CHIEF CLERK. A bill (H. R. 11679) to provide for acquiring and disposition of certain properties for use or formerly used by the Lighthouse Service.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was read, considered, ordered to a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the Secretary of Commerce is authorized to acquire, by purchase, condemnation, or otherwise—

(1) A suitable site for a lighthouse depot at or in the vicinity of Seattle, Wash.; and

(2) Such additional land contiguous to the present site of the lighthouse depot at Chelsea, Mass., as may be necessary to care for the increased activities of such depot.

SEC. 2. Section 4 of the act entitled "An act to improve the efficiency of the Lighthouse Service, and for other purposes," approved February 25, 1929, is amended to read as follows:

"SEC. 4. The Secretary of Commerce is authorized to purchase the necessary land to be used as sites for lighthouse depots (1) at Newport, R. I., or elsewhere on Narragansett Bay; (2) at Portland, Me.; and (3) at or in the vicinity of Rockland, Me."

SEC. 3. The Secretary of Commerce is authorized and directed to convey by quitclaim deed to the Association for the Preservation of Virginia Antiquities, subject to the conditions hereinafter specified, the land constituting the site for the Old Light Tower at Cape Henry, Va., described by metes and bounds as follows, shown on blue print of drawing No. 306, dated January 31, 1925, on file in the office of the Superintendent of Lighthouses, Baltimore, Md.: Beginning for the same at point A, which point A is south 20° west 55.75 feet from the center of Old Light Tower, and running thence north 70° west 135 feet to B; thence north 20° east 265 feet, more or less, to C; thence along the south side of the 10-foot concrete road to the intersection at D; thence along the south side of 18-foot military road to E; thence south 20° west 19 feet, more or less, to F; thence north 70° west 385 feet to A, the point of beginning, containing approximately 1.77 acres of land, together with the abandoned lighthouse tower thereon, reserving to the United States a right of way for the water main now running through such site, together with the right of ingress and egress to the valve on such water main and for the purpose of maintaining and making repairs to such water main.

The property herein authorized to be conveyed shall be preserved by such association solely for its historic interest, and shall be open to the public at reasonable times and on reasonable terms. The deed executed by the Secretary under the provisions of this section shall contain the express condition that if such association shall at any time cease to carry out the provisions of this section, or shall at any time use such property or permit its use for other purposes, or shall attempt to alienate such property, title thereto shall revert to the United States.

#### ADDRESS TO GRADUATING CLASS BY JUDGE HARRY B. ANDERSON OF MEMPHIS, TENN.

Mr. McKELLAR. Mr. President, I ask unanimous consent to have printed in the RECORD a speech by Judge Harry B. Anderson delivered to a graduating class in Memphis, Tenn.

This speech contains much historical information and thoughtful advice to young people and I believe should be published in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

Graduates, reverend clergy, ladies, and gentlemen, there is an old custom, which might well be abolished, of having some elderly and ponderous person pour admonition and platitudes on graduating classes. Nature has so constructed the young that they are practically impervious to advice, particularly from those of an older generation, and in this nature, as always, is wise, and thereby prevents stagnation and provides for progress.

To one who obtained his ideas and philosophy largely in the nineteenth century, this seems a topsy-turvy age. Youth has taken the center of the stage, and the graduate seems to be lecturing the middle-aged in the magazines, the newspapers, all the public prints, everywhere, in fact, except at commencement exercises. Graduation ceremonies are the last stronghold of "the justice with fair, round belly, with good capon line, full of wise saws and modern instances."

In the last quarter of a century life has changed more than in any millenium since creation. The impossible of yesterday is the commonplace of to-day and the archaic of to-morrow. When I was a boy, "Darius Green and his flying machine" was the ultimate of foolishness,

but to-day the average citizen would not raise his eyes to view anything less than a fleet of airplanes sailing overhead. A hard day's journey over the roads of 1900 is now a 20-minute spin on concrete, and the lonely ranchman on the western plains has but to turn a knob on a small wooden box and have poured out to him the golden voices of the great opera singers or the nerve-racking saxophone blues of the famous jazz bands of the Nation's metropolis.

The man who never left his native village in Arkansas, for a quarter of a dollar spent at the local movie can see the Negus of Abyssinia leading his cavalry, Mussolini reviewing his black shirts, the navy of Great Britain maneuvering in the English Channel, or the Holy Father blessing the faithful in the great square of St. Peter's. To merely keep up with the luxuries, the conveniences, the time and labor saving devices that spring up almost hourly keeps the average citizen hurried, harassed, and nervous. He is informed of every world occurrence as soon as it happens by the great news agencies, and the vast and unknown planet of Columbus has become the veritable back yard of the modern traveler.

All this is very disconcerting to the man of middle age. When the hair thins and the waistline expands, a man likes to have his ideas and his habits fixed and static. It is difficult for a person to approve of anything he did not become used to before he was 30. His ideals of conduct and of comfort, of habit and custom become crystallized in the first third of his lifetime, and from then on change unconsciously annoys him. He wants at least one fixed point on which he can anchor the ship of his existence. For that reason, among many others, I envy you your religious faith. In your ancient church you have an institution which touches and modifies your daily and common existence, and yet which reaches back to the days of classic civilization; a church whose practices and beliefs are unchanged and unvarying for two millenniums, which has seen empires and kingdoms and republics rise and fall, dynasties spring up and die away, and compared to which any other institution in the world is but of yesterday. And in its ample and leisurely way, unhurried and unhampered, it has worked out a rule and philosophy of life which, whether of human or divine inspiration, is at least wise and satisfactory. And so in the storm and stress of the stream of life—and life always was stormy, but now the currents are swift and the whirlpools more rapid—you have a solid rock to which it would be wise to cling.

Change comes rapidly in the physical world and progress is the law of science. But in the moral world the saints and sages of the dawn of time stated the whole case—fortitude, temperance, prudence, and justice were the same essential virtues in old Babylon as in modern Memphis. The problems of life, after all, have ever been the same, and life has ever required bravery, sobriety, prudence, and fair dealing for even a measure of success.

I hope none of you, if you possibly can afford a further education, will let this commencement end your schooling. I know that in all walks of life there are men who are educated beyond their intellects, but the mass of men are undertrained. Life is a far more complicated affair to-day than a half century ago, and requires far more specialized knowledge. Time was when there were but three learned professions—the clergy, the law, and medicine—but to-day there are dozens of professions whose very name or purpose was undreamed of but a few years back. The surveyor of the time of Washington with his chain, his logarithms, and his simple instruments has blossomed into the civil engineer, the electrical engineer, the mechanical engineer, the chemical engineer, and a dozen varieties of what would have been sorcery in the Middle Ages, and the bewhiskered doctor who rolled his own pills, has become the surgeon, the alienist, the child specialist, the gynecologist, the orthopedist, the internal medicine specialist, the eye specialist, the brain specialist, and a hundred other varieties of specialists whose names I could not pronounce even if I knew them. If you know one useful thing and know it well, you have mastered the secret of material success, but life will become increasingly harder for the ignorant and the untrained. Schools and academies and colleges and universities abound, and if circumstances permit, take advantage of what they offer.

There are many old and superficially attractive heresies abroad in the land under new names. Most ideas called "new thought" were exploded fallacies in the Ur of the Chaldees. There is a school of behaviorists abroad in the land whose major tenet seems to be that chastity is not a virtue but a mere personal peculiarity. Doubtless that same idea prevailed in Egypt before the foundations of the pyramids, but in practical application it has ever led to ruin and disgrace. With the increasing cost of living one wife is more than most men can properly support.

But why preach? You have had sermons every Sunday since you can remember, and from competent clergymen, and I doubt if even they have had much effect. You have other interests to-night. But let me add one thought. When you go out in life be kind and charitable to the other fellow. Remember your own troubles, canvass your own shortcomings, and then be charitable in your estimate of the other fellow. He has difficulties, too. Life is not all beer and skittles. For a little time you are young and the blood courses swiftly in your veins and the world is your oyster, but before you lift its shell old age has got you,

and you get bald, and your eyesight fails, and your teeth fall out, and your arteries harden, and your friends fall out, and the undertaker casts a speculative and measuring eye on your figure as you waddle by his door. Between the cradle and the grave is but a short, short span, but that span is full of heartaches and disappointments and troubles, with here and there a transient joy. So have pity on your fellow wayfarers. Like you, they trudge the weary way to dusty death. If they fall and falter, don't scold them or blame them or revile them, but lend where you can a helping hand. A censorious man is never happy.

Be good to the old folks. They toiled and suffered and sacrificed to bring you where you are in the world. As they grow old you are their all. Give them a thought now and then. It is not the nature of the young to much consider the old, but, so far as nature will let you, think of and do for the old people.

Be good to the young. Theirs is the future.

Don't forget your teachers. They have devoted their lives to teach the coming generations. If their teachings help you along the road to success, remember them lovingly and bountifully.

Anatole France wrote a book about a witty old vagabond who had taken clerical orders, but whose life had fallen into grave disorders. As he lay dying by the roadside he said to his young companion, "I have talked much foolish philosophy to you in my pride, but now I will give you the supreme truth. Be good, my son, be good."

And so I will close with an epitome of all that is worth while in all the commencement addresses ever delivered since schools were first established:

"Be good men and good women, and whatever befalls, riches or poverty, honor or disgrace, your lives will be a success."

#### AMENDMENT TO RIVER AND HARBOR BILL

Mr. BLAINE. I desire to present an amendment to the river and harbor bill, which I shall offer at the proper time, so that the proposed amendment may be printed and lie on the table. The proposed amendment is on page 31, to strike out all of lines 12 to 25, both inclusive, and on page 32, lines 1 to 12, both inclusive, and insert in lieu thereof as a substitute the provisions contained in the amendment.

The PRESIDENT pro tempore. The amendment will be received, printed, and lie upon the table.

Mr. BLAINE. Mr. President, I included in my request that the amendment be printed in the RECORD.

The PRESIDENT pro tempore. Without objection, that order also will be made.

The amendment intended to be proposed by Mr. BLAINE to House bill 11781, the river and harbor bill, is as follows:

On page 31, strike out lines 12 to 25, inclusive, and on page 32, strike out lines 1 to 12, inclusive, and insert:

"Illinois River, Ill., in accordance with the report of the Chief of Engineers, submitted in Senate Document No. 126, Seventy-first Congress, second session, and subject to the conditions set forth in his report in said document, but the said project shall be so constructed as to require the smallest flow of water with which said project can be practically accomplished, in the development of a commercially useful waterway: *Provided*, That there is hereby authorized to be appropriated for this project a sum not to exceed \$7,500,000: *Provided further*, That the water authorized at Lockport, Ill., by the decree of the Supreme Court of the United States, rendered April 21, 1930, and reported in volume 281, United States Reports, in cases Nos. 7, 11, and 12, original, October term, 1929, of Wisconsin et al. v. Illinois et al., and Michigan v. Illinois et al., and New York v. Illinois et al., according to the opinion of the court in the cases reported as Wisconsin v. Illinois, in volume 281 United States Reports, page 179, is hereby authorized to be used for the navigation of said waterway: *Provided further*, That as soon as practicable after the Illinois waterway shall have been completed in accordance with this act, the Secretary of War shall cause a study of the amount of water that will be required as an annual average flow to meet the needs of a commercially useful waterway as defined in said Senate document, and shall, on or before January 31, 1938, report to the Congress the results of such study with his recommendations as to the minimum amount of such flow that will be required annually to meet the needs of such waterway and that can be diverted without injuriously affecting the existing riparian, navigation, and property interests on the Great Lakes to the end that Congress may take such action as it may deem advisable."

#### CONVENTION OF FEDERATION INTERALLIEE DES ANCIENS COMBATTANTS

Mr. STEIWER. I ask unanimous consent that the Senate proceed to the consideration of Order of Business 911, House bill 12348. It is a bill for the partial payment of the expenses of certain foreign delegates.

Mr. LA FOLLETTE. Let it be stated for the information of the Senate.

The PRESIDENT pro tempore. The clerk will state the title of the bill.

The CHIEF CLERK. A bill (H. R. 12348) to provide for the partial payment of the expenses of foreign delegates to the eleventh annual convention of the Federation Interalliee Des

Anciens Combattants, to be held in the District of Columbia in September, 1930.

The PRESIDENT pro tempore. The Senator from Oregon asks unanimous consent that the Senate proceed with the consideration of the bill. Is there objection?

Mr. JOHNSON. I have no objection to the immediate consideration of the bill; but I wish it to be done in such fashion that the unfinished business will be temporarily laid aside only, and that unanimous consent will be granted, rather than a motion made.

The PRESIDENT pro tempore. Inasmuch as unanimous consent is being granted for everything now being done, the Senator from California may be assured that his measure is not imperiled.

Mr. JOHNSON. That is exactly what I desired to inquire.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the Senate proceeded to consider the bill, which was read, ordered to a third reading, read the third time, and passed.

ADDRESS BY THE SECRETARY OF STATE ON THE LONDON NAVAL TREATY

Mr. FESS. Mr. President, I ask unanimous consent to insert in the RECORD a radio address June 12, 1930, by the Secretary of State on the London naval treaty.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

[From the Washington Post of Friday, June 13, 1930]

For over a year the work of the State Department of the United States has been very largely directed toward carrying out the movement initiated by President Hoover looking toward a treaty of general naval limitation. This movement has just culminated in the London naval treaty of 1930, and that treaty is now pending before the Governments of the United States, Great Britain, Japan, France, and Italy for ratification. To understand the issues which are thus presented to the peoples of these countries, it is necessary to survey the background and history out of which this movement and this treaty have arisen.

The causes of this movement date back to the Great War. When the war ended, the United States was finishing a great Navy which had been authorized in order to place America in a position to defend itself against the possible attacks of German militarism if that force should succeed in dominating Europe. The British nation had likewise a large navy which had been increased by the necessities of the war. The Japanese Navy had also been affected by the situation before and during the war. After the war was ended and German imperial militarism had been succeeded by a peaceful republic, a new condition arose. Nearly all the nations of the world had been engaged in the war, and all of them were hungry for peace.

The large navies which had been created for the exigencies of the war had become not only unnecessary but an actual source of danger as well as involving a great burden of cost. Their size was sufficiently great to suggest the constant possibility of offensive action. The contemplation of this possibility produced continual irritation between the various countries. It was primarily to remove this that the American Government called the Washington conference, and at that conference led in the formulation of the Washington treaty of 1922.

This conference was one of the great victories of peace. It demonstrated a specific method of working for peace by naval limitation and it convinced the world that this method was practical and efficient. It is true that prior to that date there had been treaties of naval limitation and they had been very successful. For over 100 years the experience of the United States and Canada with the Rush-Bagot agreement, which limited warships upon the Great Lakes of America, had shown that this arrangement contributed greatly to the good relations between those countries. Similarly in 1902 the Republics of Argentina and Chile had found a treaty of naval limitation a potent help in solving the difficulties that had arisen over their boundary line, and with its aid had succeeded in inaugurating a new era of friendly relations, which still exists.

But neither of those instances, striking and important as they were, had affected enough nations of the world to have brought this method of preserving peace into general recognition. The Washington treaty of 1922 did this. It convinced the world that naval limitation was possible and directed the conscience of the world toward an insistence upon such limitation. Although it only succeeded in arresting competition in two classes of warships—the battleship and the aircraft carrier—it commenced a movement for further limitation which will not cease until all naval competition has been arrested. It not only did this but it had an immediate beneficial effect upon the relations of the nations which participated in it, particularly of the United States and Japan.

Prior to the Washington treaty there had grown up in these countries, which were both engaged in building great fleets of battleships, a spirit of suspicion and distrust. Irresponsible people in both na-

tions were beginning to talk of the possibility of war. The Washington treaty, ending not only the competition in battleships but also providing that neither nation should increase its fortifications and naval bases in certain regions, put a stop to this growing ill will. The willingness of both parties to make sacrifices in armaments ended the tendency to look upon each other as possible enemies, and made possible the beginning of a new era of good will.

LOOPHOLE LEFT FOR TROUBLE

But in spite of these great successes, the Washington conference left a loophole for future trouble. Only two kinds of warships were limited; cruisers, destroyers, and submarines were not. After the conference adjourned competition began in Europe in these unregulated types and, as always happens, that competition gradually spread to other nations. No less than seven international meetings were called, one after the another, for the purpose either directly or indirectly of meeting this situation and trying to close the loophole.

Six of these were meetings of the preparatory commission of the League of Nations, and the seventh was the 3-power conference of America, Britain, and Japan, which was called at Geneva in 1927. None of them were successful, and the failures, together with the increasing competition in these three classes of warships, tended to rouse again a spirit of friction and ill will. Between the United States and Britain it became particularly noticeable and unfortunate, and it became evident that the Governments of both nations should take steps to check its growth.

The fact that at this very time virtually all the nations of the world had entered into a solemn covenant in the pacts of Paris, the so-called Kellogg-Briand pact, to renounce war as an instrument of national policy and in future to solve their controversies only by pacific means, did not of itself remove the danger which was being created by naval competition. True, the execution of that instrument was a vitally important event. It laid down a new international policy and it had behind it a general and overwhelming popular support.

It proposed a new era, but new eras do not come out of old conditions merely by virtue of good resolutions for the future. To cure evils which have been created by mischievous conditions, the conditions themselves must be changed. In order to create a situation where no nation will resort to war as an instrument of national policy there must be established, in addition to the promise not to make war, a larger measure of confidence than now exists in the ability of the different nations of the world to maintain their pacific intentions under all the temptations which are sure to confront them. Affirmative, practical steps must be taken to carry out the good resolution and to begin the evolution in international good will upon which the success of that resolution depends. Otherwise the failure of the good resolution may produce a condition worse than if it had never been made.

SITUATION SUMMED UP

Thus the situation as it stood a year ago may be summed up as follows: The nations of the world had been taking definite, practical steps toward a new régime of peace by the partial naval disarmament of the Washington treaty. They had also entered into a formal covenant to renounce war altogether as a national policy. But the practical steps of disarmament were incomplete and new suspicions and irritations were growing up in consequence.

And the peace pact was thus far a mere paper promise. Its fate was trembling in the balance. Whether this paper was to become a live system and thus to mark the opening of a really new era in the world's progress or whether, like many other good resolutions, it should fade away into nothingness depended on the practical steps which should be taken to make it good.

From this background the Government of the United States under President Hoover and that of Great Britain under Prime Minister MacDonald started last year the movement to change the old dangerous conditions, to complete the work begun by the Washington conference, to close the last possibility of naval competition between their own peoples and the other peoples of the world, and thus to take a long step forward toward making effective the noble intentions of the Kellogg-Briand pact. Negotiations between the two Governments were begun in the summer of 1929. They were carried on at the personal conference of Mr. Hoover and Mr. MacDonald at the Rapidan in October. Their purposes were set forth in the following joint statement issued by them on October 9 after this personal meeting:

"We have been guided by the double hope of settling our own differences on naval matters and so establishing unclouded good will, candor, and confidence between us, and also of contributing something to the solution of the problem of peace in which all other nations are interested and which calls for their cooperation.

"In signing the Paris peace pact, 56 nations have declared that war shall not be used as an instrument of national policy. We have agreed that all disputes shall be settled by pacific means.

"Both our Governments resolve to accept the peace pact not as a declaration of good intentions, but as a positive obligation to direct national policy in accordance with its pledge."

## MEETING A CULMINATION

Out of these beginnings came the call for the London conference and out of the London conference came the London naval treaty. Thus that treaty is not merely an attempt to establish a relationship for the time being between the three fleets of America, Britain, and Japan; it is the culmination of a 10-year movement toward peace between the various naval powers of the world and also a step in the vitalization of the Kellogg-Briand pact. Of course, it is not equal to the vision of the two men who issued the Rapidan statement. In human affairs no realization ever matches the vision, and limitation of arms is not a single step but a continuous process.

But the treaty is a long step forward in that evolutionary process. It prescribes a complete limitation and a cessation of competitive building between the navies of America, Britain, and Japan—the three greatest naval powers of the world. Between them if this treaty is ratified there is to be no further naval competition or the rivalry, suspicion, and ill will which is sure to arise out of it. With these three powers two other powers—France and Italy—have joined in certain important agreements in the treaty. They have joined in a 6-year extension of the battleship holiday.

They have also joined in a covenant to outlaw ruthless submarine warfare—the kind of warfare which dragged America into the Great War. And finally they have given to the limitation treaty of the other three powers their approval and hearty concurrence, with the promise to continue their own negotiations in the hope of ultimately joining the other three in a similarly complete limitation.

## PENDING FOR RATIFICATION

This limitation treaty is now pending for final ratification in each of the three countries to which its full restrictions will apply—America, Britain, and Japan. In each of these countries it is exciting vigorous opposition in certain quarters. But the source of this opposition and the arguments which are made against it give fresh evidence of its true value and of the real basis upon which it stands. In each country the opposition comes mainly from some extremists among the professional warriors of that country while at the same time in each country civilian public opinion is giving it overwhelming support.

Furthermore, the things which are said in criticism of the treaty by warriors in one country are directly in conflict with the things which are said in criticism of it by warriors in the other countries. American admirals are saying that the treaty will not establish parity between America and Britain but will make the American Navy inferior to the British Navy. At the very same moment British admirals and former lords of the Admiralty are declaring that the treaty imposes naval inferiority upon Great Britain and supremacy upon the United States.

American admirals are declaring that the treaty makes impossible a successful war with Japan, while at the same moment Japanese admirals declare that the treaty makes it impossible for the Japanese Navy "adequately to protect the Japanese nation." In Japan one unfortunate naval officer is reported to have committed suicide as a protest against the treaty, and two others have recently resigned for the same reason.

Out of this clash of opinions two results are clear: First, that a treaty so evenly criticized on opposite grounds by extremists in all three countries must come pretty near to the central line of fairness and justice between all three. All treaties which like this one involve a compromise of opposing interests must necessarily contain some concessions by each party. In the case of this treaty the concessions are apparently so evenly distributed that exactly opposite results are being claimed to flow from the treaty in each of the three countries. All of these predictions of evil can not be true; probably none of them are.

## NAVAL OFFICERS HANDICAPPED

But there is a deeper reason why these criticisms should not prevail against the treaty. The critics are naval officers—fighting men. They are handicapped by a kind of training which tends to make men think of war as the only possible defense against war. It is not their function to consider the preventive measures of international relations which are intended to make war less likely. They do not weigh the factor of international good will or rightly evaluate machinery which will prevent war by substituting other remedies for the settlement of disputes between nations.

They are thus likely to be blindfolded to one-half of the horizon—a very important half. Under these circumstances they are naturally against all naval limitation. For it is difficult for them to see that naval limitation itself by checking mutual suspicion and promoting good will is one of the most effective preventives of war. It is hard for them to realize that a navy which seems to them merely large enough for defense may seem to the other nation to be so large that it must be intended for offense.

They thus are apt to ask for larger navies than the man who can see the whole horizon. It is especially difficult for them to make the decision which must be made by every government as to the proper size of an armament reasonably sufficient for defensive purposes, but which will not seem provocative or disturbing to other nations. In the language of Prime Minister MacDonald, when he was here last year,

"They are willing to take the risks of war but they are not willing to take the risks of peace."

Do not misunderstand me. I have no intention of including all naval and military men in this criticism. It would be a gross injustice to the two services and to the many broad and fair minded officers within them. For two years, as Secretary of War under President Taft, I had the honor of being in constant association with the officers of the General Staff of the Army, and among them were many men whose grasp of these questions was conspicuously broad and fair and statesmanlike. Again, at the London conference we delegates had the benefit of the assistance and advice of the commander in chief of the American Fleet, Admiral Pratt, as well as of several other able naval officers, than whom I can not imagine men with fairer minds or a better-balanced view of all of the conditions which entered into the making of the treaty. Admiral Pratt's statement in favor of the treaty before the Senate Committee on Foreign Relations was conspicuous for its statesmanlike analysis and fair appraisal of the opposing elements of the problem.

## MILITARY VIEWPOINT NARROW

I am speaking of a tendency—the tendency of the professional military viewpoint. That viewpoint has cropped out in all three countries in respect to the treaty, and it has been conspicuous in some of the testimony which has been given before the Senate committees. It is narrow. It only covers a portion of the field which must be considered in matters of national security and defense, and its limitations and dangers have long been recognized by the American people.

From the very foundation of their Government the American people have placed the decision of these matters not in the hands of their admirals and generals but in the hands of their civilian representatives. By our Constitution the size and character of the American fleet, so far as it is determined by appropriation, rests with the President and Congress; so far as it is determined by treaty, it rests with the President and the Senate. The naval officer is relegated to the function simply of giving advice on technical matters to these civil officers who have the duty of making the decision.

In these respects the American people have only carried out the traditions and methods of all the English-speaking peoples of the world which have existed for at least 300 years. The last Englishman who sought to create a navy larger than the wishes of the representatives of the British people was Charles I, and his action in trying to collect for that purpose what was known as ship money without the consent of the House of Commons resulted in the civil war in which he lost his head. Those Americans to-day who are suggesting that the size and character of the American fleet must be determined solely in accordance with the views of the admirals of the fleet are not only seeking to reverse the traditions of three centuries but are suggesting the surrender of what has hitherto been regarded as one of the most priceless rights of the American people and one most necessary for the protection of its liberty.

## BREADTH OF VIEW NEEDED

Certainly never was the necessity of breadth of view shown more clearly than in the case of the present treaty. Certainly never were the dangers of a narrow militaristic viewpoint more clearly made manifest. Here is a treaty which represents the latest step in a constructive progress toward international good will of over 10 years. It is a result of negotiations begun over a year ago and carried on through 14 weeks of careful deliberation in London. So far as the security of America is concerned, those American rights were represented by a delegation of seven gentlemen, at least three of whom had worn the uniform of the United States as soldiers during the last great war, and who, therefore, from personal experience, are well aware of the ravages of war and the vital need of a proper national defense.

The treaty deals with a proposed American fleet of a total tonnage of 1,125,000 tons. The chief differences of opinion in the Navy relate merely to 30,000 tons, or three ships, and merely to the method in which those three ships should be armed—whether with 8-inch or 6-inch guns. And as to this question there is a difference of opinion within the Navy itself, where the commander in chief of the fleet and many others agree that the treaty is right.

Yet because of this slight difference of opinion in respect to less than 3 per cent in tonnage of the total fleet certain opponents of the treaty would throw overboard all of the benefits of this great movement, all of the admitted advantages of the treaty, and go back to an era of unrestricted competition with Japan and Great Britain. Never was the narrowness and intolerance of militarism exhibited in a more striking light. Never was the wise foresight of our forefathers which placed the decision of such matters in different hands more clearly vindicated.

## POSTPONEMENT IS DISCUSSED

The opponents of the treaty are now urging that its consideration should be postponed until next autumn, after the elections. They say that more time is required for its proper consideration by the Senate. Let us look at that argument. Probably no treaty has ever been before the Senate of which the essential questions involved have had such long and thorough publicity as those of this treaty. For the issues of this treaty which are in controversy are very narrow and they have been

publicly debated for over three years. The comparative values of the 6 and 8 inch cruisers as well as the tonnage of each which may be required by the three powers were the chief questions discussed at the Geneva conference in 1927. Those questions have been well known by the public ever since.

Over 100 press correspondents attended the London conference last winter and flooded the press of the world with a continuance of this discussion. When the treaty reached the Senate an innovation on former committee procedure in such matters was determined on and the treaty was discussed before Committee on Foreign Relations not as heretofore in private sessions but in public sessions, with a large press representation in attendance. Not only that, but a second committee of the Senate, the Committee on Naval Affairs, also held public sessions, and its proceedings were fully reported in the public press.

Finally, the Senate is having for its deliberations the benefit of the advice of two of its leading Members, Senator ROBINSON and Senator REED, members of each of the two great national parties, who also were members of the American delegation in London, and who are acquainted with every step of the negotiations. Probably never within the history of this country have there been before the Senate for decision questions where there has been more opportunity given the Senate for obtaining information and less chance of the Senate being taken by surprise or deceived.

#### CONSEQUENCES OF DELAY

On the other hand, what will be the consequences of delay? Discussion of the treaty thus far has been entirely without regard to party politics. In the negotiations in London, as well as in the discussions before the Senate committee, Democrats and Republicans have considered the questions before them purely as national and never as party questions. This is as it should be, and as our Constitution intended in the senatorial consideration of international treaties.

But if the ratification of the treaty should be postponed until the autumn there will be projected into every senatorial contest the bitter efforts of a single group of newspapers which is now devoting itself to the defeat of the treaty. These efforts do not now and would not then consist in a discussion of the real questions involved in the treaty. The irresponsible misrepresentation, the spirit of international suspicion and ill will which thus far has marked the editorials of this group, would be poured into every canvass in an effort to align candidates on one or the other side of this controversy.

The possibility of war between this country and Britain or Japan would be discussed in every district, and alleged sinister motives and purposes toward us on the part of these two other nations would be conjured up and paraded before the voters. This could have no other result than to breed unfounded suspicion and ill will. It would not only tend to drag the treaty into party politics but it would go far to neutralize the efforts which our Government has made during the past 10 years to cultivate friendship and good will with these other nations. It would go far to destroy the benefit and purpose of the treaty when ratified.

The London naval treaty represents a definite constructive step on the long road toward international good understanding and peace. Its ratification will insure that step. Its defeat would undo the progress of many years. Unless we wish to reverse the well-matured policy of this country for nearly 10 years, the treaty should be ratified, and ratified promptly.

#### ADJOURNMENT UNTIL MONDAY

Mr. McNARY. I move that the Senate adjourn until Monday next at 12 o'clock noon.

The motion was agreed to; and (at 2 o'clock and 32 minutes p. m.) the Senate adjourned until Monday, June 16, 1930, at 12 o'clock meridian.

#### NOMINATIONS

*Executive nominations received by the Senate June 13 (legislative day of June 9), 1930*

##### ENVOY EXTRAORDINARY AND MINISTER Plenipotentiary

Ralph J. Totten, of Tennessee, a Foreign Service officer of class 1, serving as minister resident and consul general at Cape Town, Union of South Africa, to be envoy extraordinary and minister plenipotentiary of the United States of America to the Union of South Africa.

##### UNITED STATES ATTORNEY

Henry E. Davis, of South Carolina, to be United States attorney, eastern district of South Carolina, to succeed J. D. Ernest Meyer, resigned.

##### POSTMASTERS

###### ALABAMA

Sanford M. Dawsey to be postmaster at Dothan, Ala., in place of S. M. Dawsey. Incumbent's commission expires July 2, 1930.  
Arthur H. Mershon to be postmaster at Fairhope, Ala., in place of A. H. Mershon. Incumbent's commission expires July 3, 1930.

Jewell Sorrell to be postmaster at Jemison, Ala., in place of Jewell Sorrell. Incumbent's commission expired February 23, 1930.

John F. Frazer to be postmaster at Lafayette, Ala., in place of J. F. Frazer. Incumbent's commission expires July 2, 1930.

Charlie D. Hughes to be postmaster at Verbena, Ala., in place of C. D. Hughes. Incumbent's commission expires July 2, 1930.

###### ARIZONA

Annie L. Kent to be postmaster at Parker, Ariz., in place of J. B. Roberts, resigned.

Frank O. Polson to be postmaster at Williams, Ariz., in place of F. O. Polson. Incumbent's commission expired April 3, 1930.

###### ARKANSAS

James A. Skipper to be postmaster at England, Ark., in place of J. A. Skipper. Incumbent's commission expires July 2, 1930.

Alice R. Beard to be postmaster at Gentry, Ark., in place of A. R. Beard. Incumbent's commission expires July 2, 1930.

John S. Thompson to be postmaster at Gravette, Ark., in place of J. W. Oglesby, jr., resigned.

Edna N. Orr to be postmaster at Judsonia, Ark., in place of F. G. Briggs. Incumbent's commission expired December 17, 1929.

Clyde E. Mitts to be postmaster at Swifton, Ark., in place of C. E. Mitts. Incumbent's commission expires July 3, 1930.

Charles W. Burford to be postmaster at Wilmar, Ark., in place of C. W. Burford. Incumbent's commission expired May 12, 1930.

###### CALIFORNIA

Axel P. Brown to be postmaster at Albion, Calif., in place of C. J. Brown, resigned.

Florence E. Mathews to be postmaster at Brea, Calif., in place of F. E. Mathews. Incumbent's commission expired March 11, 1930.

Edward D. Mahood to be postmaster at Corte Madera, Calif., in place of E. D. Mahood. Incumbent's commission expired June 3, 1930.

Edna F. Grant to be postmaster at Hopland, Calif., in place of E. F. Grant. Incumbent's commission expired December 21, 1929.

Charles E. Wells to be postmaster at Maxwell, Calif., in place of C. E. Wells. Incumbent's commission expired December 21, 1929.

Irma L. Dal Porto to be postmaster at Oakley, Calif., in place of Georgia Regester, resigned.

Myrtle E. Pollock to be postmaster at Portola, Calif., in place of Rose Loucks, resigned.

Roscoe E. Watts to be postmaster at Rialto, Calif., in place of R. E. Watts. Incumbent's commission expires July 2, 1930.

###### COLORADO

Albert Neuman to be postmaster at Elbert, Colo., in place of Albert Neuman. Incumbent's commission expired March 25, 1930.

Leroy L. Marsh to be postmaster at Pagosa Springs, Colo., in place of V. A. Flaugh. Incumbent's commission expired March 22, 1930.

Roswell H. Bancroft to be postmaster at Palisade, Colo., in place of R. H. Bancroft. Incumbent's commission expired May 20, 1930.

Gale A. Lee to be postmaster at Pueblo, Colo., in place of E. B. Wicks, deceased.

###### CONNECTICUT

Willis C. Chidsey to be postmaster at Avon, Conn., in place of W. C. Chidsey. Incumbent's commission expires July 2, 1930.

Michael M. Olie to be postmaster at Pequabuck, Conn., in place of M. M. Olie. Incumbent's commission expires July 2, 1930.

William S. Tift to be postmaster at Seymour, Conn., in place of W. S. Tift. Incumbent's commission expired March 29, 1930.

Carleton W. Tyler to be postmaster at Southbury, Conn., in place of C. W. Tyler. Incumbent's commission expires July 2, 1930.

Walfred C. Carlson to be postmaster at Washington Depot, Conn., in place of W. C. Carlson. Incumbent's commission expired June 3, 1930.

###### DELAWARE

Harry S. Harrington to be postmaster at Harrington, Del., in place of F. C. Powell. Incumbent's commission expired January 26, 1930.

Arthur S. Hearn to be postmaster at Laurel, Del., in place of A. S. Hearn. Incumbent's commission expired June 10, 1930.

James E. Willey to be postmaster at Seaford, Del., in place of J. E. Willey. Incumbent's commission expired February 23, 1930.

## FLORIDA

Charles L. Sickles to be postmaster at Apopka, Fla., in place of W. R. McLeod. Incumbent's commission expired December 18, 1929.

Jennie L. Cooley to be postmaster at Lynn Haven, Fla., in place of J. L. Cooley. Incumbent's commission expired May 29, 1930.

Owen W. Pittman to be postmaster at Miami, Fla., in place of O. W. Pittman. Incumbent's commission expires July 2, 1930.

Julia Seabloom to be postmaster at Ormond Beach, Fla., in place of Julia Seabloom. Incumbent's commission expires July 2, 1930.

Jeannette C. Young to be postmaster at Starke, Fla., in place of N. B. Hull, deceased.

## GEORGIA

Buoie L. Bennett to be postmaster at Nashville, Ga., in place of Stella Phelps, resigned.

Mary W. Barclay to be postmaster at Rome, Ga., in place of M. W. Barclay. Incumbent's commission expired May 20, 1930.

## IDAHO

Edgar H. Dammarell to be postmaster at Kendrick, Idaho, in place of H. D. Stanton, deceased.

Omer S. Cordon to be postmaster at Rigby, Idaho, in place of O. S. Cordon. Incumbent's commission expired June 12, 1930.

## ILLINOIS

Frank Willey, jr., to be postmaster at Alto Pass, Ill., in place of H. C. Minton. Incumbent's commission expired January 7, 1930.

Walter B. Dunlap to be postmaster at Bath, Ill., in place of W. B. Dunlap. Incumbent's commission expires July 2, 1930.

George E. Stauffer, jr., to be postmaster at Baylis, Ill., in place of G. E. Stauffer, jr. Incumbent's commission expired May 14, 1930.

R. Dunn Cook to be postmaster at Belle Rive, Ill., in place of R. D. Cook. Incumbent's commission expires July 2, 1930.

Sidney F. Coffman to be postmaster at Bluford, Ill., in place of S. F. Coffman. Incumbent's commission expired May 4, 1930.

Walter L. Barrow to be postmaster at Campbell Hill, Ill., in place of J. H. Lawder, deceased.

Edward G. Mochel to be postmaster at Clarendon Hills, Ill. Office became presidential July 1, 1929.

May S. Williams to be postmaster at Hanover, Ill., in place of M. S. Williams. Incumbent's commission expired May 12, 1930.

Harker Miley to be postmaster at Harrisburg, Ill., in place of Harker Miley. Incumbent's commission expires July 2, 1930.

Hugo L. Schneider to be postmaster at Highland Park, Ill., in place of H. L. Schneider. Incumbent's commission expires July 2, 1930.

Samuel A. McCullough to be postmaster at Irvington, Ill., in place of S. A. McCullough. Incumbent's commission expires July 2, 1930.

Martin W. Mensching to be postmaster at Itasca, Ill. Office became presidential July 1, 1929.

Herman W. Behrens to be postmaster at Kampville, Ill., in place of H. W. Behrens. Incumbent's commission expired April 28, 1930.

Martin J. Riedy to be postmaster at Lisle, Ill., in place of M. J. Riedy. Incumbent's commission expired January 7, 1930.

Sophie Benhart to be postmaster at Medinah, Ill. Office became presidential July 1, 1928.

Samuel J. Davis to be postmaster at Mooseheart, Ill., in place of S. J. Davis. Incumbent's commission expires July 2, 1930.

Louis J. Gauss to be postmaster at Peoria, Ill., in place of B. C. Colborn. Incumbent's commission expired September 5, 1926.

Edward H. Hannant to be postmaster at Mount Sterling, Ill., in place of E. H. Hannant. Incumbent's commission expires July 3, 1930.

Chester A. Bailey to be postmaster at Okawville, Ill., in place of J. W. Miller. Incumbent's commission expired February 15, 1930.

Raymond W. Peters to be postmaster at St. Joseph, Ill., in place of R. W. Peters. Incumbent's commission expires July 2, 1930.

Willie E. Rudolph to be postmaster at Sibley, Ill., in place of W. E. Rudolph. Incumbent's commission expires July 3, 1930.

John W. Vangilder to be postmaster at Sumner, Ill., in place of J. W. Vangilder. Incumbent's commission expired December 18, 1929.

Charles E. Van Buren to be postmaster at Victoria, Ill., in place of C. E. Van Buren. Incumbent's commission expires July 3, 1930.

Ulysses G. Dennison to be postmaster at Winnebago, Ill., in place of U. G. Dennison. Incumbent's commission expires July 2, 1930.

## INDIANA

William J. DeVerter to be postmaster at Cayuga, Ind., in place of W. J. DeVerter. Incumbent's commission expired June 7, 1930.

Shad R. Young to be postmaster at Cicero, Ind., in place of S. R. Young. Incumbent's commission expires July 2, 1930.

Chester Boone to be postmaster at Connersville, Ind., in place of Glen Zell. Incumbent's commission expired December 15, 1929.

Daniel W. Dupes to be postmaster at East Chicago, Ind., in place of H. H. Spencer. Incumbent's commission expired January 29, 1930.

George C. Clemens to be postmaster at Hammond, Ind., in place of R. H. McHie, deceased.

Ralph S. Ward to be postmaster at Knightstown, Ind., in place of R. S. Ward. Incumbent's commission expires June 16, 1930.

Otto A. Weibrenner to be postmaster at Mount Vernon, Ind., in place of P. E. Rowe. Incumbent's commission expired December 15, 1929.

Harry A. McColly to be postmaster at Rensselaer, Ind., in place of Vernon Howels. Incumbent's commission expired March 6, 1930.

## IOWA

Myrtle B. Stark to be postmaster at Boxholm, Iowa, in place of M. B. Stark. Incumbent's commission expires July 2, 1930.

John L. Eichacker to be postmaster at Homestead, Iowa, in place of J. L. Eichacker. Incumbent's commission expires July 2, 1930.

Levi L. Reynolds to be postmaster at Little Sioux, Iowa, in place of L. L. Reynolds. Incumbent's commission expired June 8, 1930.

Floyd A. Bryceson to be postmaster at Moorhead, Iowa, in place of Carl Nielsen, resigned.

Phillip T. Serrurier to be postmaster at Sabula, Iowa, in place of P. T. Serrurier. Incumbent's commission expires July 2, 1930.

Ferdinand J. Ruff to be postmaster at South Amana, Iowa, in place of F. J. Ruff. Incumbent's commission expires July 2, 1930.

Estella M. Hauser to be postmaster at Varina, Iowa, in place of E. M. Hauser. Incumbent's commission expires July 2, 1930.

Flossie K. Pfeiff to be postmaster at West Burlington, Iowa, in place of F. K. Pfeiff. Incumbent's commission expires July 2, 1930.

## KANSAS

Louise M. Pfortmiller to be postmaster at Gorham, Kans., in place of L. M. Pfortmiller. Incumbent's commission expires July 2, 1930.

Douglas M. Dimond to be postmaster at Kensington, Kans., in place of D. M. Dimond. Incumbent's commission expired December 14, 1929.

Stephen Young to be postmaster at Louisburg, Kans., in place of Sarah Lee. Incumbent's commission expired December 14, 1929.

Harry V. Baxter to be postmaster at Madison, Kans., in place of E. E. Haynes. Incumbent's commission expired February 23, 1930.

Robert M. Skidmore to be postmaster at Norwich, Kans., in place of R. M. Skidmore. Incumbent's commission expires June 16, 1930.

Lewis E. Glasco to be postmaster at Piedmont, Kans., in place of L. E. Glasco. Incumbent's commission expires July 2, 1930.

John H. O'Connor to be postmaster at Winfield, Kans., in place of J. H. O'Connor. Incumbent's commission expires July 2, 1930.

## KENTUCKY

Hattie O. Duncan to be postmaster at Coxton, Ky., in place of Ella Dabney, resigned.

David B. Ramey to be postmaster at Praise, Ky., in place of D. B. Ramey. Incumbent's commission expires July 2, 1930.

## MAINE

Willis H. Allen to be postmaster at Columbia Falls, Me., in place of W. H. Allen. Incumbent's commission expires June 28, 1930.

Charles J. Bragdon to be postmaster at Gardiner, Me., in place of C. J. Bragdon. Incumbent's commission expires June 16, 1930.

Willard E. Day to be postmaster at Monmouth, Me., in place of W. E. Day. Incumbent's commission expired May 4, 1930.

Mertland L. Carroll to be postmaster at New Harbor, Me., in place of M. L. Carroll. Incumbent's commission expires July 2, 1930.

Lillian C. Erickson to be postmaster at Stockholm, Me., in place of G. W. Tracy, deceased.

## MASSACHUSETTS

John P. Brown to be postmaster at Bass River, Mass., in place of J. P. Brown. Incumbent's commission expires July 2, 1930.

Leo D. Glynn to be postmaster at East Long Meadow, Mass., in place of L. D. Glynn. Incumbent's commission expired December 14, 1929.

Burton D. Webber to be postmaster at Fiskdale, Mass., in place of B. D. Webber. Incumbent's commission expires July 2, 1930.

James C. Smith to be postmaster at Leominster, Mass., in place of J. C. Smith. Incumbent's commission expires July 3, 1930.

Donald A. MacDonald to be postmaster at Mittineague, Mass., in place of D. A. MacDonald. Incumbent's commission expired March 16, 1930.

Alice M. Lincoln to be postmaster at Raynham, Mass., in place of A. M. Lincoln. Incumbent's commission expires July 2, 1930.

Myrtice S. King to be postmaster at Upton, Mass., in place of M. S. King. Incumbent's commission expired May 28, 1930.

John H. Fletcher to be postmaster at Westford, Mass., in place of J. H. Fletcher. Incumbent's commission expires July 2, 1930.

## MICHIGAN

Hance Briley to be postmaster at Atlanta, Mich., in place of Hance Briley. Incumbent's commission expires July 2, 1930.

Frances A. Milldebrandt to be postmaster at Auburn Heights, Mich. Office became presidential June 1, 1929.

Natalie G. Marker to be postmaster at Elk Rapids, Mich., in place of N. G. Marker. Incumbent's commission expires July 2, 1930.

James G. Gilday to be postmaster at Erie, Mich., in place of J. G. Gilday. Incumbent's commission expires July 2, 1930.

Ward R. Rice to be postmaster at Galesburg, Mich., in place of W. R. Rice. Incumbent's commission expires July 2, 1930.

Lee Roy Perry to be postmaster at Grand Blanc, Mich., in place of L. R. Perry. Incumbent's commission expired March 22, 1930.

Elfreda L. Mulligan to be postmaster at Grand Marais, Mich., in place of E. L. Mulligan. Incumbent's commission expires July 2, 1930.

Alfred Endsley to be postmaster at Ida, Mich., in place of Alfred Endsley. Incumbent's commission expires July 2, 1930.

Frederick P. Claffin to be postmaster at Keego Harbor, Mich., in place of F. P. Claffin. Incumbent's commission expires July 2, 1930.

Clifford W. Tooker to be postmaster at Muir, Mich., in place of C. W. Tooker. Incumbent's commission expires July 2, 1930.

William C. Heyn to be postmaster at Stevensville, Mich., in place of M. E. Morrison. Incumbent's commission expired December 15, 1929.

## MINNESOTA

Thomas Tomasek to be postmaster at Albany, Minn., in place of Thomas Tomasek. Incumbent's commission expires July 2, 1930.

Ema G. Perkins to be postmaster at Pine City, Minn., in place of Ottocar Sobotka. Incumbent's commission expired Jan. 9, 1928.

Asa R. Woodbeck to be postmaster at Brookpark, Minn., in place of A. R. Woodbeck. Incumbent's commission expires June 16, 1930.

Ward E. Willford to be postmaster at Canton, Minn., in place of W. H. Sturgeon, resigned.

William Edmond to be postmaster at Claremont, Minn., in place of William Edmond. Incumbent's commission expired April 15, 1930.

Albert Anderson to be postmaster at Clearbrook, Minn., in place of Albert Anderson. Incumbent's commission expires July 2, 1930.

Gustave Backer to be postmaster at Clements, Minn., in place of Gustave Backer. Incumbent's commission expires July 2, 1930.

Jacob P. Soes to be postmaster at Climax, Minn., in place of J. P. Soes. Incumbent's commission expires July 2, 1930.

Frank L. Redfield, jr., to be postmaster at Cloquet, Minn., in place of C. C. Keller, removed.

Clara K. Diekmann to be postmaster at Collegeville, Minn., in place of J. C. Diekmann, deceased.

Alwyne A. Dale to be postmaster at Dover, Minn., in place of A. A. Dale. Incumbent's commission expired December 18, 1929.

Frank A. Sandin to be postmaster at Dunnell, Minn., in place of F. A. Sandin. Incumbent's commission expires July 2, 1930.

Henry J. Widenhoefer to be postmaster at Fisher, Minn., in place of H. J. Widenhoefer. Incumbent's commission expires July 2, 1930.

James B. Hubbell to be postmaster at Forest Lake, Minn., in place of J. B. Hubbell. Incumbent's commission expires July 2, 1930.

Fritz Von Ohlen to be postmaster at Henning, Minn., in place of Fritz Von Ohlen. Incumbent's commission expires July 2, 1930.

Henry Hendrickson to be postmaster at Hoffman, Minn., in place of Henry Hendrickson. Incumbent's commission expired January 21, 1930.

William Perbix to be postmaster at Hopkins, Minn., in place of William Perbix. Incumbent's commission expires June 16, 1930.

Orville G. Nichols to be postmaster at Mazeppa, Minn., in place of O. G. Nichols. Incumbent's commission expired May 21, 1930.

Winnifred L. Batson to be postmaster at Odessa, Minn., in place of W. L. Batson. Incumbent's commission expired December 18, 1929.

Elmer A. Haugen to be postmaster at Pelican Rapids, Minn., in place of E. A. Haugen. Incumbent's commission expires July 2, 1930.

Lawrence J. Nasett to be postmaster at Robbinsdale, Minn., in place of L. J. Nasett. Incumbent's commission expires June 16, 1930.

Anna O. Rokke to be postmaster at Strandquist, Minn., in place of A. O. Rokke. Incumbent's commission expires July 2, 1930.

Ole N. Aamot to be postmaster at Watson, Minn., in place of O. N. Aamot. Incumbent's commission expired December 18, 1929.

Edward B. Hicks to be postmaster at Winona, Minn., in place of E. B. Hicks. Incumbent's commission expired May 13, 1930.

## MISSISSIPPI

Samuel W. Pendarvis to be postmaster at Magnolia, Miss., in place of S. W. Pendarvis. Incumbent's commission expired April 5, 1930.

Robert E. L. McLain to be postmaster at Shelby, Miss., in place of Harry Howe. Incumbent's commission expired April 28, 1930.

## MISSOURI

Phill H. Hawkins to be postmaster at Buffalo, Mo., in place of P. H. Hawkins. Incumbent's commission expires July 3, 1930.

Earnest R. Smith to be postmaster at Collins, Mo., in place of E. R. Smith. Incumbent's commission expired February 6, 1930.

John M. Atkinson, jr., to be postmaster at Eldorado Springs, Mo., in place of J. M. Atkinson, jr. Incumbent's commission expired March 11, 1930.

Charles L. Martin to be postmaster at Joplin, Mo., in place of Herbert Schnur. Incumbent's commission expired January 15, 1927.

Joe P. Stiles to be postmaster at Keytesville, Mo., in place of J. P. Stiles. Incumbent's commission expires July 2, 1930.

George E. Drewel to be postmaster at Labadie, Mo., in place of Otto Drewel, deceased.

Berry Crow to be postmaster at Licking, Mo., in place of Berry Crow. Incumbent's commission expired May 29, 1930.

George E. Richards to be postmaster at Lilbourn, Mo., in place of G. E. Richards. Incumbent's commission expires July 2, 1930.

George Bently to be postmaster at Westboro, Mo., in place of George Bently. Incumbent's commission expires June 16, 1930.

Ruby O. Foster to be postmaster at Winona, Mo., in place of R. O. Foster. Incumbent's commission expires July 2, 1930.

## MONTANA

Robert A. Bray to be postmaster at Bigtimber, Mont., in place of R. A. Bray. Incumbent's commission expires July 2, 1930.

T. Lester Morris to be postmaster at Corvallis, Mont., in place of T. L. Morris. Incumbent's commission expires July 2, 1930.

Ernest M. Goodell to be postmaster at Dutton, Mont., in place of E. M. Goodell. Incumbent's commission expires July 2, 1930.

## NEBRASKA

Alfred G. Taylor to be postmaster at Chappell, Nebr., in place of A. G. Taylor. Incumbent's commission expired February 6, 1930.

Edwin D. Fisher to be postmaster at Falls City, Nebr., in place of L. A. Meinzer. Incumbent's commission expired December 16, 1929.

Henry Pickett to be postmaster at Sterling, Nebr., in place of C. E. Zink, deceased.

Leora E. Bowley to be postmaster at Taylor, Nebr., in place of L. E. Bowley. Incumbent's commission expires July 3, 1930.

## NEVADA

Arthur C. Lewis to be postmaster at Ruth, Nev., in place of G. H. Reinmund, removed.

Emanuel Bollschweiler to be postmaster at Wells, Nev., in place of Emanuel Bollschweiler. Incumbent's commission expired May 17, 1930.

## NEW HAMPSHIRE

Wilbur L. Wadleigh to be postmaster at Twin Mountain, N. H., in place of W. L. Wadleigh. Incumbent's commission expires July 3, 1930.

## NEW JERSEY

Walter A. Smith to be postmaster at Avalon, N. J., in place of W. A. Smith. Incumbent's commission expires July 2, 1930.

Frank Hill to be postmaster at Dumont, N. J., in place of Frank Hill. Incumbent's commission expired February 4, 1930.

Milton A. Whyard to be postmaster at Englewood, N. J., in place of M. A. Whyard. Incumbent's commission expired May 8, 1930.

Mary E. Helmuth to be postmaster at Lavallette, N. J., in place of M. E. Helmuth. Incumbent's commission expires July 2, 1930.

Charles B. Sprague to be postmaster at Manahawkin, N. J., in place of C. B. Sprague. Incumbent's commission expires July 2, 1930.

## NEW MEXICO

Morgan P. Harvey to be postmaster at Clayton, N. Mex., in place of M. P. Harvey. Incumbent's commission expired May 29, 1930.

## NEW YORK

Henry Leonhardt to be postmaster at Alexandria Bay, N. Y., in place of Henry Leonhardt. Incumbent's commission expired April 13, 1930.

Ruth M. Marleau to be postmaster at Big Moose, N. Y., in place of R. M. Marleau. Incumbent's commission expires July 2, 1930.

Hermon W. DeLong, jr., to be postmaster at Dansville, N. Y., in place of E. H. Maloney, deceased.

Jay E. Davis to be postmaster at Deansboro, N. Y., in place of J. E. Davis. Incumbent's commission expires July 2, 1930.

Clifford L. Tuthill to be postmaster at Eastport, N. Y., in place of C. L. Tuthill. Incumbent's commission expires July 2, 1930.

Sylvester P. Shea to be postmaster at Freeport, N. Y., in place of S. P. Shea. Incumbent's commission expired May 6, 1930.

Vernon B. Hutchins to be postmaster at Indian Lake, N. Y., in place of J. B. Houghton. Incumbent's commission expired February 15, 1930.

Daniel H. Chichester to be postmaster at Madalin, N. Y., in place of Wallace Moore, removed.

John A. Campbell to be postmaster at Mumford, N. Y., in place of J. A. Campbell. Incumbent's commission expires July 2, 1930.

William J. Schonger to be postmaster at North Branch, N. Y., in place of W. J. Schonger. Incumbent's commission expires July 2, 1930.

Adolph M. Spiehler to be postmaster at Rochester, N. Y., in place of J. B. Mullan. Incumbent's commission expired March 11, 1930.

Homer H. Thomas to be postmaster at Rushford, N. Y., in place of H. H. Thomas. Incumbent's commission expired May 20, 1930.

Vernon E. Bowler to be postmaster at Savannah, N. Y., in place of V. E. Bowler. Incumbent's commission expired May 28, 1930.

George A. Petry to be postmaster at Valhalla, N. Y., in place of G. A. Petry. Incumbent's commission expired June 8, 1930.

William H. Middleton to be postmaster at Warwick, N. Y., in place of G. A. Williams, resigned.

Harold J. Samuels to be postmaster at Waterford, N. Y., in place of J. G. Cole. Incumbent's commission expired February 18, 1930.

Jennie Mitchell to be postmaster at White Lake, N. Y., in place of Jennie Mitchell. Incumbent's commission expires July 2, 1930.

Chalmers W. Joyner to be postmaster at White Sulphur Springs, N. Y., in place of C. W. Joyner. Incumbent's commission expires July 2, 1930.

Edith P. Patterson to be postmaster at Youngsville, N. Y., in place of E. P. Patterson. Incumbent's commission expires July 3, 1930.

## NORTH CAROLINA

Claude S. Rowland to be postmaster at Pinetown, N. C., in place of C. S. Rowland. Incumbent's commission expires July 2, 1930.

Walter F. Long, jr. to be postmaster at Rockingham, N. C., in place of W. F. Long, jr. Incumbent's commission expires July 2, 1930.

Dothan A. Norris to be postmaster at Tabor, N. C., in place of N. K. Currie, removed.

## NORTH DAKOTA

Fred E. Wollitz to be postmaster at Bowdon, N. Dak., in place of N. E. Sorteberg. Incumbent's commission expired December 18, 1929.

Florian M. Pezalla to be postmaster at Cayuga, N. Dak., in place of F. M. Pezalla. Incumbent's commission expires July 2, 1930.

Seburn J. Cox to be postmaster at Clifford, N. Dak., in place of S. J. Cox. Incumbent's commission expires July 2, 1930.

Tilda J. Engebretson to be postmaster at Hatton, N. Dak., in place of O. N. Hegge. Incumbent's commission expired December 18, 1929.

Fred Fercho to be postmaster at Lehr, N. Dak., in place of Fred Fercho. Incumbent's commission expired June 3, 1930.

Ada A. Sorenson to be postmaster at Tuttle, N. Dak., in place of A. A. Sorenson. Incumbent's commission expired January 6, 1930.

## OHIO

Albert D. Owen to be postmaster at Austintown, Ohio, in place of A. D. Owen. Incumbent's commission expires July 2, 1930.

Olive M. Munn to be postmaster at Barton, Ohio, in place of O. M. Munn. Incumbent's commission expires June 14, 1930.

Clarence E. Coulter to be postmaster at Crooksville, Ohio, in place of E. L. Taylor. Incumbent's commission expired May 28, 1930.

George F. Burford to be postmaster at Farmdale, Ohio, in place of G. F. Burford. Incumbent's commission expires July 2, 1930.

Walter Fletcher to be postmaster at Lucas, Ohio, in place of Walter Fletcher. Incumbent's commission expires July 2, 1930.

John W. Gorrell to be postmaster at Malvern, Ohio, in place of J. W. Gorrell. Incumbent's commission expires July 2, 1930.

Samuel S. Gatch to be postmaster at Milford, Ohio, in place of L. L. Harding. Incumbent's commission expired March 16, 1930.

Thomas G. Thomas to be postmaster at Mineral Ridge, Ohio, in place of T. G. Thomas. Incumbent's commission expires July 2, 1930.

Harry H. Davis to be postmaster at New Holland, Ohio, in place of H. H. Davis. Incumbent's commission expired March 16, 1930.

Nora Kearns to be postmaster at Russellville, Ohio, in place of Nora Kearns. Incumbent's commission expires July 2, 1930.

Samuel L. Eardley to be postmaster at Sebring, Ohio, in place of Fred Mills. Incumbent's commission expired March 16, 1930.

## OKLAHOMA

Guy E. Reece to be postmaster at Braggs, Okla., in place of G. E. Reece. Incumbent's commission expired April 28, 1930.

Gavin E. Butler to be postmaster at Chickasha, Okla., in place of J. W. Comer, deceased.

Albert M. Dennis to be postmaster at Frederick, Okla., in place of A. M. Dennis. Incumbent's commission expired March 25, 1930.

Floyd Clark to be postmaster at Freedom, Okla., in place of Floyd Clark. Incumbent's commission expires July 2, 1930.

Thomas J. McNeely to be postmaster at Goltry, Okla., in place of T. J. McNeely. Incumbent's commission expired April 9, 1930.

Earl Ridenour to be postmaster at Hydro, Okla., in place of Earl Ridenour. Incumbent's commission expired May 4, 1930.

Winnie A. Ayers to be postmaster at Langston, Okla., in place of W. A. Ayers. Incumbent's commission expired December 21, 1929.

Anna E. Smithers to be postmaster at Owasso, Okla., in place of A. E. Smithers. Incumbent's commission expired December 21, 1929.

Harry McMullen to be postmaster at Paden, Okla., in place of T. G. Rawdon, resigned.

Lincoln G. Shoop to be postmaster at Perry, Okla., in place of L. G. Shoop. Incumbent's commission expired May 4, 1930.  
 Thomas M. Elliott to be postmaster at Salina, Okla., in place of T. M. Elliott. Incumbent's commission expires July 2, 1930.  
 Maud L. Vaughan to be postmaster at Supply, Okla., in place of M. L. Vaughan. Incumbent's commission expired May 17, 1930.

James F. Lacey to be postmaster at Warner, Okla., in place of J. F. Lacey. Incumbent's commission expires July 2, 1930.

## OREGON

Amanda E. Bones to be postmaster at Carlton, Oreg., in place of A. E. Bones. Incumbent's commission expires July 2, 1930.  
 Lucius L. Hurd to be postmaster at Glendale, Oreg., in place of L. L. Hurd. Incumbent's commission expires July 2, 1930.

Wallace W. Smead to be postmaster at Heppner, Oreg., in place of W. W. Smead. Incumbent's commission expires June 16, 1930.

Charles M. Crittenden to be postmaster at Hubbard, Oreg., in place of C. M. Crittenden. Incumbent's commission expires June 16, 1930.

Bessie Cummings to be postmaster at Keasey, Oreg., in place of C. G. Snyder, resigned.

Nettie J. Neil to be postmaster at Marcola, Oreg., in place of N. J. Neil. Incumbent's commission expires July 2, 1930.

Benjamin F. Turner to be postmaster at Maupin, Oreg., in place of B. F. Turner. Incumbent's commission expires June 16, 1930.

Etta M. Davidson to be postmaster at Oswego, Oreg., in place of E. M. Davidson. Incumbent's commission expires July 2, 1930.

George W. Cummings to be postmaster at Philomath, Oreg., in place of E. M. Ward, resigned.

Henrietta Sandry to be postmaster at Rogue River, Oreg., in place of Henrietta Sandry. Incumbent's commission expires July 2, 1930.

Joseph W. Spitzer to be postmaster at Talent, Oreg., in place of G. D. Withrow, resigned.

Charles H. Watzek to be postmaster at Wauna, Oreg., in place of C. H. Watzek. Incumbent's commission expires July 2, 1930.

## PENNSYLVANIA

Elmer H. Heydt to be postmaster at Abington, Pa., in place of E. H. Heydt. Incumbent's commission expires July 2, 1930.

Harry R. Tomlinson to be postmaster at Andalusia, Pa., in place of H. R. Tomlinson. Incumbent's commission expires July 2, 1930.

Enoch A. Raush to be postmaster at Auburn, Pa., in place of E. A. Raush. Incumbent's commission expires June 16, 1930.

Edward F. Anderson to be postmaster at Austin, Pa., in place of E. F. Anderson. Incumbent's commission expires June 28, 1930.

John H. Ammon to be postmaster at Beaver, Pa., in place of J. H. Ammon. Incumbent's commission expires June 22, 1930.

Harry N. Beazell to be postmaster at Belle Vernon, Pa., in place of H. N. Beazell. Incumbent's commission expired March 23, 1930.

David P. Stokes to be postmaster at Blain, Pa., in place of D. P. Stokes. Incumbent's commission expires July 2, 1930.

Roy L. Wagner to be postmaster at Cressona, Pa., in place of R. L. Wagner. Incumbent's commission expired June 10, 1930.

Charles F. Rugaber to be postmaster at Galetton, Pa., in place of Fred Goodman. Incumbent's commission expired December 21, 1929.

Mary G. Wilson to be postmaster at George School, Pa., in place of M. G. Wilson. Incumbent's commission expires July 2, 1930.

Ralph V. Parthemore to be postmaster at High Spire, Pa., in place of R. V. Parthemore. Incumbent's commission expired May 5, 1930.

Frank J. Over to be postmaster at Hollidaysburg, Pa., in place of F. J. Over. Incumbent's commission expires June 22, 1930.

Rachel M. Thurston to be postmaster at Iselin, Pa., in place of F. R. Jones, resigned.

Walter Carrell to be postmaster at Ivyland, Pa., in place of Walter Carrell. Incumbent's commission expires July 2, 1930.

Arthur B. Winter to be postmaster at Jermyn, Pa., in place of A. B. Winter. Incumbent's commission expired June 8, 1930.

Frank E. Tiffany to be postmaster at Kingsley, Pa., in place of F. E. Tiffany. Incumbent's commission expires July 2, 1930.

Albert D. Karstetter to be postmaster at Loganton, Pa., in place of A. D. Karstetter. Incumbent's commission expired June 10, 1930.

Robert T. Barton to be postmaster at Meadowbrook, Pa., in place of R. T. Barton. Incumbent's commission expires July 2, 1930.

Barbara E. Snyder to be postmaster at New Tripoli, Pa., in place of B. E. Snyder. Incumbent's commission expires July 2, 1930.

Samuel G. Garnett to be postmaster at Parkesburg, Pa., in place of S. G. Garnett. Incumbent's commission expired February 26, 1930.

Lester L. Lyons to be postmaster at Pocono, Pa., in place of L. L. Lyons. Incumbent's commission expires July 2, 1930.

John A. Baker to be postmaster at Pocopson, Pa., in place of J. A. Baker. Incumbent's commission expires July 2, 1930.

Alex L. Carlier to be postmaster at Point Marion, Pa., in place of A. L. Carlier. Incumbent's commission expired June 10, 1930.

Florence H. Gray to be postmaster at Rosemont, Pa., in place of F. H. Gray. Incumbent's commission expires June 16, 1930.

William A. Smith to be postmaster at Summerville, Pa., in place of W. A. Smith. Incumbent's commission expires July 2, 1930.

J. Ellis Tobias to be postmaster at Tremont, Pa., in place of R. E. Gammell, removed.

E. Howard Gilpin to be postmaster at Upland, Pa., in place of E. H. Gilpin. Incumbent's commission expired June 8, 1930.

John C. McCurdy to be postmaster at Verona, Pa., in place of J. C. McCurdy. Incumbent's commission expires July 2, 1930.

James T. Patterson to be postmaster at Williamsburg, Pa., in place of J. T. Patterson. Incumbent's commission expires June 30, 1930.

## PORTO RICO

Leonides M. Lopez to be postmaster at Camuy, P. R., in place of L. M. Lopez. Incumbent's commission expires July 3, 1930.

Felix P. Hernandez to be postmaster at Quebradillas, P. R., in place of F. P. Hernandez. Incumbent's commission expires July 3, 1930.

## RHODE ISLAND

George W. Jenckes to be postmaster at Slatersville, R. I., in place of G. W. Jenckes. Incumbent's commission expires June 22, 1930.

## SOUTH CAROLINA

Arthur K. Parsons to be postmaster at Andrews, S. C., in place of W. B. Blakeley, resigned.

Eli Parker to be postmaster at Elloree, S. C., in place of E. B. Mack. Incumbent's commission expired February 27, 1930.

John S. Meggs to be postmaster at Marion, S. C., in place of J. S. Meggs. Incumbent's commission expired May 12, 1930.

Loula B. O'Connor to be postmaster at Meggett, S. C., in place of L. B. O'Connor. Incumbent's commission expired June 8, 1930.

Porter B. Kennedy to be postmaster at Sharon, S. C., in place of R. L. Plexico. Incumbent's commission expired December 17, 1929.

## SOUTH DAKOTA

Elsie M. Romereim to be postmaster at Roslyn, S. Dak., in place of E. M. Romereim. Incumbent's commission expires July 3, 1930.

William O. Brennan to be postmaster at Sherman, S. Dak., in place of W. O. Brennan. Incumbent's commission expires July 3, 1930.

Mary J. Carr to be postmaster at Stratford, S. Dak., in place of M. J. Carr. Incumbent's commission expires July 2, 1930.

## TENNESSEE

Arthur B. McCay to be postmaster at Copperhill, Tenn., in place of A. B. McCay. Incumbent's commission expired May 12, 1930.

Ella V. Lewis to be postmaster at Daisy, Tenn., in place of E. V. Lewis. Incumbent's commission expires July 2, 1930.

Alonzo P. Johnson to be postmaster at Doyle, Tenn., in place of A. P. Johnson. Incumbent's commission expires July 2, 1930.

Malcolm D. Biggs to be postmaster at Martin, Tenn., in place of M. D. Biggs. Incumbent's commission expires July 3, 1930.

Charles E. Sexton to be postmaster at Maynardville, Tenn., in place of C. E. Sexton. Incumbent's commission expires July 2, 1930.

Charles J. Ray to be postmaster at Vonore, Tenn., in place of Ben Sloan. Incumbent's commission expired December 16, 1929.

## TEXAS

Ida S. McWilliams to be postmaster at Anahuac, Tex., in place of I. S. McWilliams. Incumbent's commission expires July 2, 1930.

George A. Tohill to be postmaster at Big Sandy, Tex., in place of G. A. Tohill. Incumbent's commission expires July 3, 1930.

Louis Waldvogel to be postmaster at Columbus, Tex., in place of Louis Waldvogel. Incumbent's commission expires July 2, 1930.

Birdie Duree to be postmaster at Dimmitt, Tex., in place of Birdie Duree. Incumbent's commission expires July 2, 1930.

Edson E. King to be postmaster at Follett, Tex., in place of E. E. King. Incumbent's commission expires July 2, 1930.

Samuel A. West to be postmaster at Joshua, Tex., in place of S. A. West. Incumbent's commission expires July 2, 1930.

Edmund W. Tarrence to be postmaster at Llano, Tex., in place of E. W. Tarrence. Incumbent's commission expired May 28, 1930.

William H. Bruns to be postmaster at Louise, Tex., in place of W. H. Bruns. Incumbent's commission expires July 3, 1930.

Wallace C. Wilson to be postmaster at McKinney, Tex., in place of W. C. Wilson. Incumbent's commission expires July 2, 1930.

Lotta E. Turney to be postmaster at Smithville, Tex., in place of L. E. Turney. Incumbent's commission expires July 2, 1930.

#### UTAH

Stephen F. Stephensen to be postmaster at Riverton, Utah, in place of S. F. Stephensen. Incumbent's commission expires June 16, 1930.

#### VERMONT

Edward N. Aldrich to be postmaster at Graniteville, Vt., in place of E. N. Aldrich. Incumbent's commission expires July 2, 1930.

Berton M. Willey to be postmaster at Greensboro, Vt., in place of B. M. Willey. Incumbent's commission expired April 13, 1930.

John S. Wheeler to be postmaster at North Ferrisburg, Vt., in place of J. S. Wheeler. Incumbent's commission expires July 2, 1930.

George D. Burnham to be postmaster at Reading, Vt., in place of G. D. Burnham. Incumbent's commission expires July 2, 1930.

Sherrie C. Mead to be postmaster at Shoreham, Vt., in place of S. C. Mead. Incumbent's commission expires July 2, 1930.

#### VIRGINIA

Newton S. Ritter to be postmaster at Berryville, Va., in place of N. F. Smith. Incumbent's commission expired February 6, 1929.

Bascom N. Mustard to be postmaster at Bland, Va., in place of B. N. Mustard. Incumbent's commission expired March 16, 1930.

William C. Roberson to be postmaster at Galax, Va., in place of A. G. Childers. Incumbent's commission expires June 16, 1930.

William R. Moose to be postmaster at Glasgow, Va., in place of Winter Owens. Incumbent's commission expired June 8, 1930.

Winter Owens to be postmaster at Haymarket, Va., in place of Winter Owens. Incumbent's commission expires June 8, 1930.

Paul E. Haden to be postmaster at Palmyra, Va., in place of P. E. Haden. Incumbent's commission expired May 4, 1930.

Jack F. Fick to be postmaster at Quantico, Va., in place of J. F. Fick. Incumbent's commission expires June 30, 1930.

William A. Wine to be postmaster at Quicksburg, Va., in place of W. A. Wine. Incumbent's commission expires July 2, 1930.

Asher Brinson to be postmaster at Stonega, Va., in place of Asher Brinson. Incumbent's commission expires July 2, 1930.

#### WASHINGTON

Lillian M. Tyler to be postmaster at Brewster, Wash., in place of L. M. Tyler. Incumbent's commission expires July 2, 1930.

Joseph F. Lavigne to be postmaster at Cusick, Wash., in place of J. F. Lavigne. Incumbent's commission expired April 28, 1930.

Katherine Irving to be postmaster at Dryden, Wash., in place of Katherine Irving. Incumbent's commission expires July 2, 1930.

Jerome E. Depew to be postmaster at Elk, Wash., in place of J. E. Depew. Incumbent's commission expired March 2, 1930.

Guy N. Lafromboise to be postmaster at Enumclaw, Wash., in place of G. N. Lafromboise. Incumbent's commission expires July 2, 1930.

George H. Shanafelt to be postmaster at Kennewick, Wash., in place of G. H. Shanafelt. Incumbent's commission expires July 3, 1930.

Matthew E. Morgan to be postmaster at Lind, Wash., in place of M. E. Morgan. Incumbent's commission expires July 2, 1930.

Hilda G. Moe to be postmaster at Malden, Wash., in place of H. G. Moe. Incumbent's commission expires July 2, 1930.

Elva N. Hamilton to be postmaster at Mansfield, Wash., in place of E. N. Hamilton. Incumbent's commission expired May 12, 1930.

Edwin O. Dressel to be postmaster at Metaline Falls, Wash., in place of E. O. Dressel. Incumbent's commission expired April 15, 1930.

Harry E. Stark to be postmaster at Okanogan, Wash., in place of H. E. Stark. Incumbent's commission expires July 2, 1930.

Herman S. Reed to be postmaster at Redmond, Wash., in place of H. S. Reed. Incumbent's commission expires July 2, 1930.

Samuel E. Edwards to be postmaster at Ritzville, Wash., in place of S. E. Edwards. Incumbent's commission expires July 3, 1930.

Otto F. Reinig to be postmaster at Snoqualmie, Wash., in place of O. F. Reinig. Incumbent's commission expires July 2, 1930.

Myrtle B. Bridgman to be postmaster at Vashon, Wash., in place of M. B. Bridgman. Incumbent's commission expires July 3, 1930.

#### WEST VIRGINIA

Clinton V. Boyles to be postmaster at East Beckley, W. Va., in place of M. L. Lilly, removed.

Lancelot A. Lint to be postmaster at Grant Town, W. Va., in place of H. F. Cunningham, resigned.

Verna F. Ridenour to be postmaster at Hopemont, W. Va., in place of V. F. Ridenour. Incumbent's commission expires July 3, 1930.

Sewell J. Champe to be postmaster at Montgomery, W. Va., in place of S. J. Champe. Incumbent's commission expired April 23, 1930.

Julius Thompson to be postmaster at Petersburg, W. Va., in place of Julius Thompson. Incumbent's commission expires July 3, 1930.

Hallie A. Overholt to be postmaster at Thurmond, W. Va., in place of H. A. Overholt. Incumbent's commission expires July 2, 1930.

#### WISCONSIN

Harry C. Dowe to be postmaster at Bangor, Wis., in place of C. F. Swerman, resigned.

John F. Harding to be postmaster at Bay City, Wis., in place of I. M. Hortenbach, resigned.

Henry J. Altschwager to be postmaster at Columbus, Wis., in place of H. J. Altschwager. Incumbent's commission expires July 3, 1930.

Velma C. Grossman to be postmaster at Dale, Wis., in place of M. L. Hopkins. Incumbent's commission expired January 8, 1930.

Elmer A. Disgarden to be postmaster at Ellison Bay, Wis., in place of E. A. Disgarden. Incumbent's commission expires July 3, 1930.

Floyd B. Hesler to be postmaster at Glenbeulah, Wis., in place of F. B. Hesler. Incumbent's commission expires July 2, 1930.

Carson J. Lawrence to be postmaster at La Farge, Wis., in place of C. J. Lawrence. Incumbent's commission expires July 2, 1930.

Fred J. Marty to be postmaster at New Glarus, Wis., in place of F. J. Marty. Incumbent's commission expires July 2, 1930.

Clyde D. Sullivan to be postmaster at Phillips, Wis., in place of C. D. Sullivan. Incumbent's commission expired December 21, 1929.

Herman Jacob to be postmaster at Rib Lake, Wis., in place of Herman Jacob. Incumbent's commission expires July 2, 1930.

Wilbur S. Wurm to be postmaster at Shullsburg, Wis., in place of W. S. Wurm. Incumbent's commission expires July 3, 1930.

#### WYOMING

W. Leroy Call to be postmaster at Afton, Wyo., in place of W. L. Call. Incumbent's commission expired April 28, 1930.

## HOUSE OF REPRESENTATIVES

FRIDAY, June 13, 1930

The House met at 12 o'clock noon and was called to order by the Speaker.

The Rev. C. E. Hawthorne, pastor of the Wallace Memorial United Presbyterian Church of Washington, D. C., offered the following prayer:

Gracious God, our Heavenly Father, we come into Thy presence with reverence and in the spirit of thankfulness. Thou hast said, "Happy is that nation whose God is the Lord." And through the years we have trusted Thee, have looked to Thee, have prayed unto Thee, and Thou hast not failed us. To Thee be the praise and the honor and the glory. But every day brings fresh needs and new problems. So again we are call-

ing upon Thy name. As we call may our own hearts be opened and our ears made attentive to Thy voice. And may Thy divine wisdom and knowledge be imparted to the Speaker, to the officers and Members of this House in the day's deliberations. Remember in gracious mercy our Nation, its President and its people. And may our worship and our service be acceptable to Thee. We ask in the name of the Lord Jesus Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

#### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed a joint resolution of the following title, in which the concurrence of the House is requested:

S. J. Res. 190. Joint resolution authorizing the Postmaster General to accept the bid of the Mississippi Shipping Co. to carry mail between United States Gulf ports and the east coast of South America.

The message also announced that the Senate agrees to the amendments of the House to bills of the following titles:

S. 465. An act to give war-time rank to retired officers and former officers of the Army, Navy, Marine Corps, and/or Coast Guard of the United States; and

S. 4157. An act to extend the times for commencing and completing a bridge across the Tennessee River at or near Chattanooga, Hamilton County, Tenn.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 980) entitled "An act to permit the United States to be made a party defendant in certain cases," disagreed to by the House, agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. WATERMAN, Mr. GILLET, and Mr. WALSH of Montana to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 7822) entitled "An act amending section 2 and repealing section 3 of the act approved February 24, 1925 (43 Stat. 964, ch. 301), entitled "An act to authorize the appointment of commissioners by the Court of Claims and to prescribe their powers and compensation," and for other purposes, disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. DENEEN, Mr. GILLET, and Mr. STEPHENS to be the conferees on the part of the Senate.

#### SPECIAL INVESTIGATION COMMITTEE

Mr. HICKEY. Mr. Speaker, by direction of the Committee on the Judiciary I call up House resolution 191 and ask for its present consideration.

The SPEAKER. The gentleman from Indiana asks unanimous consent for the present consideration of the resolution, which the Clerk will report.

The Clerk read as follows:

#### House Resolution 191

*Resolved*, That a special committee of five Members of the House of Representatives who are members of the Committee on the Judiciary of the House, be, and is hereby authorized and directed to inquire into the official conduct of Harry B. Anderson, United States district judge for the western district of Tennessee, and to report to the Committee on the Judiciary of the House whether in their opinion the said Harry B. Anderson has been guilty of any acts which in contemplation of the Constitution are high crimes or misdemeanors requiring the interposition of the constitutional powers of the House; and that the said special committee have power to hold meetings in the city of Washington, D. C., and elsewhere, and to send for persons and papers, to administer the customary oaths to witnesses, all process to be signed by the Clerk of the House of Representatives under its seal and be served by the Sergeant at Arms of the House or his special messenger; to sit during the sessions of the House and until adjournment of the second session of the Seventy-first Congress and thereafter until said inquiry is completed, and report to the Committee on the Judiciary of the House; and be it further

*Resolved*, That said special committee be, and the same is hereby, authorized to employ such stenographic, clerical, and other assistance as they may deem necessary; and all expenses incurred by said special committee, including the expenses of such committee when sitting in or outside the District of Columbia, shall be paid out of the contingent fund of the House of Representatives on vouchers ordered by said committee, signed by the chairman of said committee: *Provided, however*, That the total expenditures authorized by this resolution shall not exceed the sum of \$5,000.

With a committee amendment as follows:

Page 1, line 3, after the word "House," insert the words "the same to be designated by the chairman of said committee."

The SPEAKER. Is there objection?

Mr. STAFFORD. Reserving the right to object, Mr. Speaker, will the gentleman reporting the resolution kindly give the House the reason for asking a committee of investigation of this district judge?

Mr. HICKEY. Some investigation was made by the Department of Justice and this material was submitted to the Committee on the Judiciary, and after investigation by a subcommittee of that committee a report was made to the full Committee on the Judiciary to the effect that possibly the matter was of such importance that it should be investigated.

The resolution was introduced originally by the gentleman from New York [Mr. LA GUARDIA] and referred to the Committee on the Judiciary. The Department of Justice made an investigation, and their report was rather extensive, going into details with respect to the bankruptcy matters and other matters.

I do not think at this time, Mr. Speaker, that it would be proper to go into detail.

Mr. STAFFORD. If the gentleman will permit, there has been a sufficient showing made to the committee that the committee thinks it is warranted in making the investigation of the activities of this Federal judge?

Mr. HICKEY. Yes.

Mr. STAFFORD. Mr. Speaker, I withdraw my reservation of an objection.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. STAFFORD. Mr. Speaker, the gentleman from Tennessee [Mr. TAYLOR] would like to have five minutes.

Mr. TAYLOR of Tennessee. Mr. Speaker and Members of the House, I have no desire to enter into a discussion of this matter at the present time. As a Representative from Tennessee, having had more or less to do with the appointment of this judge, I naturally feel more or less interested in the matter. But I want to say to the House at this time that I have no disposition whatever to delay or block consideration of the resolution under consideration. I wish to call the attention of the House to the fact that when this resolution was introduced Judge Anderson promptly communicated with the committee and asked that the investigation be made in the interest of the reputation and integrity of the judiciary. Some investigation has been made, and if the committee is not satisfied or entertains any doubt as to the rectitude of Judge Anderson he invites a further investigation.

The only thing that concerns me and that concerns Judge Anderson is that the investigation shall be absolutely fair, as I am sure it will be.

The SPEAKER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The SPEAKER. The question is on agreeing to the resolution as amended.

The resolution as amended was agreed to.

#### CHEROKEE INDIANS IN NORTH CAROLINA

Mr. LEAVITT. Mr. Speaker, I ask unanimous consent to take from the Speaker's table and pass the bill S. 4050, an identical House bill being on the calendar.

The SPEAKER. The gentleman from Montana asks unanimous consent to take from the Speaker's table and pass Senate bill 4050, an identical House bill being on the calendar. The Clerk will report it.

The Clerk read as follows:

#### S. 4050

A bill to confer full rights of citizenship upon the Cherokee Indians resident in the State of North Carolina, and for other purposes

*Be it enacted, etc.*, That all noncitizen Cherokee Indians born within the territorial limits of the United States and resident in the State of North Carolina are hereby declared to be citizens of the United States and entitled to all the rights, privileges, and immunities belonging to such citizens, including the right of franchise, provided they can meet and conform to the educational and other tests imposed upon voters of the State of North Carolina as a condition precedent to the exercise of such right of franchise. All acts or parts of acts of Congress inconsistent herewith are hereby repealed. Nothing contained in this act shall in any manner impair or otherwise affect the right of any Indian to tribal or other property.

Mr. STAFFORD. Mr. Speaker, will the gentleman yield?

Mr. LEAVITT. Yes.

Mr. STAFFORD. Is there any precedent in the history of the country where the National Government has determined the qualifications of the electorate in a State other than the passage of the war-time amendments to the Constitution?

Mr. LEAVITT. I will say to the gentleman that this bill does not do that. We have a general citizenship act conferring citizenship on all Indians born in the United States. But a difficulty has originated because of a defect in another law affecting the right of the Cherokee Indians of North Carolina under that act.

This merely clears up the situation to make clear to them the same privileges as now exist for all other Indians in the United States.

Mr. WARREN. Mr. Speaker, temporarily I object.

Mr. LEAVITT. Mr. Speaker, I moved that this be taken up. It is not a unanimous-consent request. A similar bill is on the House Calendar.

The SPEAKER. The Chair believes this to be a privileged matter.

Mr. WARREN. Will the gentleman from Montana [Mr. LEAVITT] make a short statement about the bill?

Mr. LEAVITT. Yes. I shall be glad to, or I will yield to the gentleman from North Carolina [Mr. PRITCHARD], who introduced the bill.

Mr. PRITCHARD. Mr. Speaker, I will state for the benefit of the gentleman that in 1924 citizenship was conferred upon Indians generally throughout the United States. At that time there was a provision in the law that the North Carolina Cherokee Indians should not vote until their lands were allotted. Subsequent to that a law was passed conferring citizenship upon the Indians, and confirming it regardless of the allotment of the lands. Some uncertainty has arisen as to whether or not those Indians are citizens and should be permitted to vote, provided they can qualify under the laws of the State of North Carolina. The purpose of this bill is just merely to remove any question of their right to vote, provided they can read and write the Constitution to the satisfaction of the registrar and can qualify just as other citizens of the State.

The regular order was demanded.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

A similar House bill was laid on the table.

#### SALE OF COAL AND ASPHALT DEPOSITS IN CHOCTAW AND CHICKASAW NATIONS, OKLAHOMA

Mr. LEAVITT. Mr. Speaker, I call up the conference report on the bill (S. 4140), providing for the sale of the remainder of the coal and asphalt deposits in the segregated mineral lands in the Choctaw and Chickasaw Nations of Oklahoma, and for other purposes.

The Clerk read the title of the bill.

Mr. LEAVITT. Mr. Speaker, I ask unanimous consent that the statement may be read in lieu of the report.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

The Clerk read the statement, as follows:

The conference report and statement are as follows:

#### CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 4140) providing for the sale of the remainder of the coal and asphalt deposits in the segregated mineral land in the Choctaw and Chickasaw Nations, Oklahoma, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendments numbered 4 and 6.

That the Senate recede from its disagreement to the amendment of the House numbered 2, and agree to the same.

Amendment numbered 1: That the Senate recede from its disagreement to the amendment of the House numbered 1, and agree to the same with an amendment as follows: In lieu of the matter inserted by the said amendment insert the following: "heretofore fixed by the Secretary of the Interior under the provisions of the act of Congress approved February 22, 1921 (41 Stat. 1107)," and the House agree to the same.

Amendment numbered 3: That the Senate recede from its disagreement to the amendment of the House numbered 3, and agree to the same with an amendment as follows: In lieu of the matter stricken out by the said amendment insert the following: "has been heretofore or," and on page 2, line 18 of the bill, after the word "offered," insert the word "hereafter," and the House agree to the same.

Amendment numbered 5: That the Senate recede from its disagreement to the amendment of the House numbered 5, and agree to the same with an amendment as follows: In lieu of

the matter inserted by said amendment insert the following: "either at public auction or private sale"; and the House agree to the same.

SCOTT LEAVITT,  
W. H. SPROUL,  
JOHN M. EVANS,

*Managers on the part of the House.*

LYNN J. FRAZIER,  
W. H. McMASTER,  
HENRY F. ASHURST,

*Managers on the part of the Senate.*

#### STATEMENT

The adoption of the conference report will leave this measure in exactly the form in which it was reported to the House by the Committee on Indian Affairs. The House committee amendments to the Senate bill are those suggested by the Department of the Interior in conference with the Attorney General. Amendments were offered to the bill on the floor of the House, and the conferees recommend that the House recede from these amendments. The conferees recommend that in lieu of these amendments there be inserted the committee amendments as offered by the House committee when the bill was reported.

Adoption of this report will leave the bill in a form recommended by the Department of the Interior and the Attorney General and with the full support of the Indians involved, as expressed through their attorneys and delegates.

SCOTT LEAVITT,  
W. H. SPROUL,  
JOHN M. EVANS,

*Managers on the part of the House.*

The conference report was agreed to.

#### BRIDGES IN KENTUCKY

Mr. THATCHER. Mr. Speaker, I ask unanimous consent to extend my remarks on the bill (S. 4269) and to include as a part of the remarks the bill itself.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. THATCHER. Mr. Speaker, the State of Kentucky is about to embark upon a large program of bridge building. To this end, through its State highway commission, it is proposed to group certain Kentucky intrastate bridges as to tolls to be collected thereon as a basis of credit on which to secure loans with which to build such bridges. When such bridges are constructed and the cost of their construction paid for by such tolls, all of them will thenceforth be operated toll free. The indicated program also contemplates the construction by the highway commission of certain interstate bridges across the Ohio River, and the acquisition by the State of certain bridges across the Ohio River constructed by private enterprise.

Each of these interstate bridges may be financed in a similar way, except that each such interstate bridge must be handled as a distinct proposition and not grouped with other bridges. Under the bill the grouping, for financing purposes, will apply only as to intrastate bridges; that is to say, of course, bridges wholly within the State and not extending from Kentucky to an adjacent State.

In behalf of this program appropriate legislation has recently been enacted by the General Assembly of Kentucky, and Congress has also enacted the necessary legislation in the same behalf through the passage of the so-called Barkley-Thatcher bill. Identical measures were introduced in the House and Senate—in the House, H. R. 12287, by me, and in the Senate, S. 4269, by Senator BARKLEY, of Kentucky. The Senate bill having been acted on by the Senate first, it was considered and formally reported, with certain amendments, by the House Committee on Interstate and Foreign Commerce, and in this form it passed the House on June 10, 1930. Since then the House amendments have been agreed to by the Senate, and the measure has received the approval of the President.

The measure as thus enacted set forth the bridges involved and other necessary details, and it is as follows:

An act authorizing the Commonwealth of Kentucky, by and through the State Highway Commission of Kentucky or the successors of said commission, to acquire, construct, maintain, and operate bridges within Kentucky and/or across boundary line streams of Kentucky

Be it enacted, etc., That in order to promote interstate commerce, improve the postal service, and more adequately provide for military and other purposes the Commonwealth of Kentucky, by and through the State Highway Commission of Kentucky, or the successors of said commission, be, and it hereby is, authorized to construct, maintain, and

operate any or all of the following bridges and approaches thereto, at points suitable to the interests of navigation, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and acts amendatory and supplemental thereto, and subject to the conditions and limitations contained in this act:

A bridge across the Ohio River at or near Maysville; a bridge across the Ohio River at or near Ashland; a bridge across the Ohio River at or near a point opposite Cairo, Ill.; a bridge across the Ohio River at or near Carrollton; a bridge across the Tennessee River at or near Eggners Ferry; a bridge across the Tennessee River near Paducah; a bridge across the South Fork of the Cumberland River at or near Burnside; a bridge across the North Fork of the Cumberland River at or near Burnside; a bridge across Cumberland River at or near Smithland; a bridge across Cumberland River at or near Canton; a bridge across Cumberland River at or near Burkesville; a bridge across the Kentucky River at or near Tyrone; a bridge across the Kentucky River at or near High Bridge; a bridge across the Kentucky River at or near Boonesboro; a bridge across the Kentucky River at or near Gratz; a bridge across the Green River at or near Brownsville; a bridge across the Green River at or near Rockport; a bridge across the Green River at or near Morgantown; and a bridge across Green River at or near Spottsville.

Said Commonwealth of Kentucky, by and through the State Highway Commission of Kentucky, or the successors of said commission, is hereby authorized to acquire any or all of the following bridges and approaches thereto and thereafter to maintain and operate same as toll bridges:

A bridge across the Ohio River at or near Milton; a bridge across the Ohio River at or near Paducah; a bridge across the Kentucky River at or near Carrollton; and a bridge across Green River at or near Calhoun.

SEC. 2. There is hereby conferred upon the Commonwealth of Kentucky and the State Highway Commission of Kentucky, or the successors of said commission, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, and/or operation of any and/or all such bridges and their approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in condemnation or expropriation of property for public purposes in such State.

SEC. 3. The Commonwealth of Kentucky, by and through the State Highway Commission of Kentucky, or the successors of said commission, is hereby authorized to fix and charge tolls for transit over any and/or all such bridges, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the act of March 23, 1906.

SEC. 4. The Commonwealth of Kentucky, by and through the State Highway Commission of Kentucky, or its successors, may unite or group all or such of said bridges, excepting and excluding interstate bridges, into one or more separate projects for financing purpose, as in its or their judgment shall be deemed practicable to so unite or group. If tolls are charged for the use of a bridge or bridges in a project, the rates of toll to be charged for the use of such bridge or bridges embraced in the particular project shall be so adjusted as to provide a fund not to exceed an amount sufficient to pay the reasonable costs of maintaining, repairing, and operating the bridge or all of the bridges included in the particular project and their approaches under economical management, and not to exceed an amount sufficient, in addition to the foregoing, to provide a sinking fund sufficient to amortize the aggregate cost of the bridge or all of the bridges embraced in the particular project, and their approaches, including reasonable interests and financing costs, as soon as possible under reasonable charges, but within a period not exceeding 20 years from the date of approval of this act. The tolls derived from the bridge or bridges embraced in any particular project may be continued and paid into the appropriate sinking fund until all such costs of the bridges embraced in the particular project shall have been amortized. In any event tolls shall be charged on the basis aforesaid for transit over the bridge or bridges in each project for which revenue bonds of said Commonwealth are issued, and such tolls shall be continued and adjusted at such rates as may be necessary to pay such bonds with interest thereon and any lawful premium for the retirement thereof before maturity, subject only to the power of the Secretary of War or other authorized Federal authority to regulate such rates.

If the State Highway Commission of Kentucky, or its successors, shall, in the exercise of its or their judgment, deem it inexpedient or impracticable to construct or acquire any one or more of such bridges, or to unite or group any one or more with another or others for financing purposes, then the failure of the Commonwealth of Kentucky, acting by and through the State Highway Commission of Kentucky, or its successors, to construct or acquire any one or more of such bridges, or failure to unite or group any one or more with another or others for financing purposes, shall in no wise affect its authority or powers granted by this act as to such bridge or bridges or the remainder of such bridges which it may so construct, acquire, unite, or group, and operate.

After a sinking fund sufficient to amortize the cost of the bridge or bridges in any particular project shall have been provided to the extent hereinabove required, the bridge or bridges included in such project shall thereafter be maintained and operated free of tolls. An accurate record of the cost of the bridge or bridges in a project and their approaches, the expenditures for maintaining, repairing, and operating same, and of the daily tolls collected shall be kept and shall be available for the information of all persons concerned. Tolls shall be uniform as between individuals and as between vehicles of the same class using any one of the bridges, but different rates of toll may be charged for the use of different bridges.

SEC. 5. The authority and powers conferred by this act are supplementary and additional to all other authority and powers heretofore granted by law in relation to such bridges and tolls for transit thereover, and such authority or powers as to any one or more of such bridges may be exercised either under the authority and provisions of this act or under the authority and provisions of any other law relating thereto; and nothing in this act shall be construed as requiring tolls to be charged for the use of any one or more of such bridges, except as hereinabove provided, and nothing herein shall be construed to prohibit the Commonwealth of Kentucky, acting by and through the State Highway Commission of Kentucky, or its successors, from paying all or any part of the cost of any one or more of such bridges and their approaches from the State road fund, or from paying all or any part of the cost of maintenance, repair, or operation of any one or more of such bridges from the State road fund of the Commonwealth of Kentucky.

SEC. 6. The right to alter, amend, or repeal this act is hereby expressly reserved.

In the State courts of Kentucky the \$15,000.00 of bonds being floated to take care of the greater number of these bridges are now being validated. A bond syndicate, made up of some of the leading bond and banking concerns of the country, has contracted to buy these bridge bonds at prices ranging from \$905 for each \$1,000 denomination on the indicated Ohio River spans, to \$911.50 for each \$1,000 denomination on the intrastate bridges. The bridges—17 intrastate and 6 interstate—if thus constructed and acquired, will become a part of the highway system of Kentucky, and will constitute a major feature of progress within the State.

Shortly, under funds provided by the State of Kentucky and by its citizens, the purchase of the required area and cave properties will be completed, and the Mammoth Cave National Park will be established and improved, maintained, and operated by the National Park Service agreeably to the act of Congress providing for the creation of this national park, of which act I have the honor to be the author. The State's system of hard-surface roads is being extended all the while. With a comprehensive and adequate system of roads and bridges, with a national park within her boundaries, and with the many other scenic attractions and historic features for which Kentucky is noted, the State will become a great mecca for tourists. Certainly no other American Commonwealth has more to offer in scenic beauty and historic interest than has Kentucky.

Mr. Speaker and Members of the House, touching the subject of bridge legislation, I deem it appropriate that I should speak a word in commendation of the splendid work that is being performed by our esteemed colleague Representative DENISON, of Illinois. As chairman of the subcommittee of the House Committee on Interstate and Foreign Commerce, in charge of bridge matters, he has rendered, and is rendering, the country an invaluable service. He has made an exhaustive study of interstate problems, and, under his leadership, bridge legislation, in the past few years, has greatly advanced—to the undoubted benefit of both intrastate and interstate commerce. He seeks to protect the rights of the people in the legislation he proposes or approves. His broad grasp of the questions involved, together with his diligence, patience, fairness, and legal ability, renders him an invaluable aid to Congress and the public in dealing with interstate and traffic problems; and especially as regards those relating to the erection, maintenance, and operation of bridges across the navigable streams of the Nation.

In 1928 Representative DENISON assisted in the preparation of a bill enacted by Congress authorizing the city of Louisville to construct, maintain, and operate a toll bridge across the Ohio River at Louisville.

There were inserted in that bill provisions which permitted the city of Louisville to pledge the tolls to be charged for traffic over the bridge, for the purpose of securing, upon an issue of the city's bonds, the necessary loans to meet the expense of such construction. Twice theretofore proposals for bond issues to raise the necessary funds for building the bridge had failed. Thereupon the indicated measure was drafted, and I introduced it in the Seventieth Congress, and it was enacted (H. R. 9660, Public Law No. 73, 70th Cong.).

Under the constitution of the State of Kentucky the city of Louisville, being a city of the first class, can not issue bonds

based upon the faith and credit of the city, unless such issuance is authorized by the vote of the people in an election held for the purpose. When the proposals for the issuance of such bonds had been twice defeated at the polls, the city's mayor and its bridge commission entered into negotiations with various banking institutions of the country with the view of arranging for the construction of the proposed bridge under the city's supervision, by means of funds derived from loans to be secured by the tolls of the bridge when constructed, until the loans were repaid.

The plan was that the bonds of the city would be issued in favor of the institution making such loans, with such tolls pledged for the payment of such bonds, but without the other resources or the credit of the city pledged therefor. It was not necessary to vote any bond issue under this arrangement.

The act of Congress referred to was so drafted as to permit this policy to be pursued by the city of Louisville, and it constituted the pioneer enactment on the subject. It marked a distinct advance in the financing and building of bridges in this country, and since its enactment it has been a standard and pattern for other Federal bridge acts. Mr. T. H. MacDonald, chief of the Bureau of Public Roads, Department of Agriculture, has stated that this Louisville bridge bill constituted the most important measure dealing with the question of toll-bridge construction enacted during the Seventieth Congress. As already indicated, this character of legislation enables States, districts, and municipalities to construct, maintain, and operate bridges without the necessity of voting bond issues, the pledge of tolls being sufficient to authorize such issues. Thus overhead organization costs, the requirement for return of private capital, and the like, through private bridge construction and operation, are obviated. The public at large receives the benefit of these results, and States, districts, and municipalities are thus permitted to build and own bridges, which ultimately become free, or practically free, bridges.

The city of Louisville, under the provisions of the indicated act, was able to negotiate the required loan of something like \$5,000,000, and to construct the bridge in question. As a result, there spans the broad Ohio between Louisville, Ky., and Jeffersonville, Ind., a new municipal bridge, owned, maintained, and operated by the city of Louisville, and it constitutes one of the most imposing and adequate bridge structures to be found anywhere in the Nation. The operation of this bridge is proving a success, both as to traffic and as to toll receipts; and under the act of Congress authorizing the construction of the bridge, the cost of construction must be amortized within a period not exceeding 20 years from the date of completion of the structure; and after such amortization the bridge shall be maintained and operated free of tolls, or the rates of tolls shall thereafter be so adjusted as to provide a fund not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches, under economical management.

All tolls imposed in the operation of bridges over navigable waters in the United States are subject, of course, to the supervisory power of the Secretary of War under authority contained in the general bridge act of March 23, 1906.

The Barkley-Thatcher bill, now under discussion, provides for the State of Kentucky a plan similar to that contained in the Louisville bridge act, elaborated for the construction, maintenance, and operation both of intrastate and interstate bridges.

All of the Ohio River, it is to be noted, lies within the geographic limits of the State of Kentucky; that is to say, all of the river to its northern shores at low-water mark. This is in conformity with the provisions of the compact whereby the State of Virginia ceded to the Federal Government the great region known as the Northwest Territory. Hence, the bridges which span this noble stream lie almost wholly within Kentucky, and this fact constitutes an important reason why the State of Kentucky is thus taking the lead in building these particular interstate bridges.

#### BRIDGE ACROSS DES MOINES RIVER NEAR CROTON, IOWA

Mr. DENISON. Mr. Speaker, on yesterday afternoon the House passed the bill (S. 4064) to extend the times for commencing and completing the construction of a bridge across the Des Moines River at or near Croton, Iowa, because a similar bill had passed the House and gone to the Senate. Since that time I have learned that the Senate passed the House bill before the House passed the Senate bill, and I ask unanimous consent that the proceedings by which the bill (S. 4064) was passed be vacated and that the Senate bill be indefinitely postponed.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the proceedings by which the bill (S. 4064) was passed be vacated, and that the Senate bill be indefinitely postponed. The Clerk will report the bill.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

#### BRIDGE ACROSS MISSOURI RIVER AT NEBRASKA CITY, NEBR.

Mr. DENISON. Mr. Speaker, I call up the bill (S. 4583), to amend the act entitled "An act authorizing the construction of a bridge across the Missouri River opposite to or within the corporate limits of Nebraska City, Nebr.," approved June 4, 1872, a similar bill having passed the House.

The SPEAKER. The bill is in a privileged status?

Mr. DENISON. It is.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That effective upon the construction and opening for highway use of a bridge across the Missouri River at or near Nebraska City, Nebr., under the provisions of an act approved April 23, 1928, entitled "An act authorizing the Interstate Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Missouri River at or near Nebraska City, Nebr.," or any amendments thereto, section 1 of an act entitled "An act authorizing the construction of a bridge across the Missouri River opposite to or within the corporate limits of Nebraska City, Nebr.," approved June 4, 1872, be amended to read as follows:

"That it shall be lawful for the Nebraska City Bridge Co., a corporation having authority from the State of Nebraska and from the State of Iowa to build a railroad bridge across the Missouri River opposite to or in the immediate vicinity of Nebraska City, in the county of Otoe and State of Nebraska, and that when constructed all trains of all railroads terminating at the Missouri River at or near the location of said bridge shall be allowed to cross said bridge, for a reasonable compensation, to be paid to the owners thereof; and that said bridge shall not interfere with the free navigation of said river beyond what is necessary in order to carry into effect the rights and privileges hereby granted; and in case of any litigation arising from any obstruction or alleged obstruction to the free navigation of said river, the cause may be tried before the district or circuit court of the United States of any State in or opposite to which any portion of said obstruction or bridge may be."

SEC. 2. Upon and after the events stated in section 1 hereof, the present owner of the bridge aforesaid, its successors or assigns, be, and they are hereby, relieved of further obligation to maintain said bridge except for railroad use.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

#### CONTESTED ELECTION, H. F. LAWRENCE VERSUS JACOB L. MILLIGAN

Mr. PERKINS. Mr. Speaker, I submit from the Committee on Elections No. 2 a privileged resolution and move its adoption. The Clerk read the resolution, as follows:

##### House Resolution 252

*Resolved,* That H. F. Lawrence was not elected a Member of the House of Representatives in the Seventy-first Congress from the third congressional district of the State of Missouri and is not entitled to a seat herein.

*Resolved,* That Jacob L. Milligan was duly elected a Member of the House of Representatives in the Seventy-first Congress from the third congressional district of the State of Missouri and entitled to retain his seat herein.

The resolution was agreed to.

#### COMMUNIST PROPAGANDA

Mr. PERKINS. Mr. Speaker, I present a resolution from the Committee on Accounts.

The Clerk read the House resolution, as follows:

##### House Resolution 250

*Resolved,* That there shall be paid out of the contingent fund of the House not to exceed \$25,000 for the expenses of the select committee appointed under authority of H. Res. 220 to investigate communist propaganda in the United States, and the head of each executive department is hereby requested to detail to said select committee such number of legal and expert assistants from their respective departments as said committee may from time to time deem necessary.

Mr. PERKINS. Mr. Speaker, I yield five minutes to the gentleman from North Carolina [Mr. WARREN].

Mr. WARREN. Mr. Speaker and Members of the House, according to all of the evidence presented to the Committee on Accounts yesterday this sum of \$25,000 asked by the so-called Fish committee is absolutely unwarranted and unnecessary. I realize that the House passes these investigations, and then it is incumbent solely on the Committee on Accounts to furnish the money; but, according to the statement made by the Clerk of the House and according to all other evidence we could get, \$15,000 will be amply sufficient until the 1st of January.

Now, let us stop a minute and see about the high cost of investigations in the House. We set aside from the contingent fund every year \$40,000 for investigations and special committees, and yet the House has already authorized at this session investigations and authorizations to the extent of \$213,736.45, leaving a deficit in the contingent fund of \$173,736.45.

Mr. SNELL. Will the gentleman yield?

Mr. WARREN. I yield.

Mr. SNELL. I wish the gentleman would itemize the investigations which we have authorized, which have cost any such amount of money as the gentleman mentioned.

Mr. WARREN. The statement furnished to me by the Clerk of the House provides for a Joint Committee on Internal Revenue Taxation, one-half of which is paid by the Senate and one-half by the House, \$20,000 annually.

Mr. SNELL. But that is not something that has been authorized lately. That is a standing order.

Mr. WARREN. But it comes out of the contingent fund of the House.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. WARREN. I yield.

Mr. CHINDBLOM. That is under the revenue law?

Mr. WARREN. That is all right.

Mr. CHINDBLOM. But it is not a special order.

Mr. WARREN. I am talking about what comes out of the contingent fund. The House authorized the Committee on Interstate and Foreign Commerce to investigate common carriers. The unexpended balance already authorized is \$16,486.45.

Mr. SNELL. That was authorized by this Congress.

Mr. WARREN. Plus \$25,000, an additional amount required, making a total of \$41,486.45. Then we have estimated for the investigation of the Communist Party of the United States, \$100,000.

Mr. SNELL. I do not know what the estimates are but I want to know definitely what investigations have been authorized by this Congress.

Mr. WARREN. That one has been authorized by this Congress, and the gentleman from New York, in a Fourth of July declaration before the Rules Committee, said that regardless of the cost of it we would pay whatever it does cost. I am not criticizing the passage of the resolution; I imagine it is all right, but certainly I do not believe that any Member of this House had the slightest idea, when he voted for that investigation, that it would cost \$100,000 to conduct the investigation.

Mr. SNELL. As a matter of fact, there have been only two or three investigations authorized by this present Congress.

Mr. WARREN. Well, let us see how many investigations are on this list. There is the investigation of the United States Shipping Board, of which the gentleman from New Jersey [Mr. LEHLBACH] is the chairman.

Mr. SNELL. When was that authorized?

Mr. WARREN. It does not state.

Mr. SNELL. Has it been authorized?

Mr. WARREN. The statement furnished me by the Clerk shows it, and it states there is an estimate of \$30,000.

Mr. SNELL. As I understand, the gentleman is making a criticism of the number of investigations we have authorized, and I am asking him how many investigations have been authorized?

Mr. WARREN. I do not know, but I see here, estimated expenditures, fiscal year 1931, for special and select committees, House of Representatives, so far authorized or contemplated.

Mr. SNELL. "Or contemplated." Make that clear. As I remember, there have been just three authorized.

Mr. WARREN. Let us see if there have not been three. Here is an investigation by the Committee on Banking and Currency in connection with branch banking.

Mr. SNELL. They have concluded their work, and there was only \$3,500 authorized.

Mr. WARREN. That is correct; but that was authorized at this session.

Mr. McFADDEN. If the gentleman will permit, the amount authorized for the Committee on Banking and Currency was not \$5,000. It was \$3,500.

Mr. WARREN. With \$2,250 expended.

The SPEAKER. The time of the gentleman from North Carolina has expired.

Mr. PERKINS. Mr. Speaker, I yield the gentleman one additional minute.

Mr. THURSTON. Will the gentleman yield?

Mr. WARREN. Yes.

Mr. THURSTON. Has the gentleman any information as to the expense incurred by the other branch of this legislative body in conducting investigations?

Mr. WARREN. I will say to the gentleman that has nothing to do with what we do. Continually we are seeing statements

in the press about investigations carried on by the other body and much criticism of them, generally by gentlemen on that side of the House. However, I do not think we should determine our action here by what is done in the other body.

Mr. BACHMANN. Will the gentleman yield?

Mr. WARREN. Yes.

Mr. BACHMANN. Did I understand the gentleman to state that the investigation of the communists in this country is estimated to cost \$100,000?

Mr. WARREN. So it shows on this list.

Mr. BACHMANN. What is the source of that list?

Mr. WARREN. This list was furnished me by the Clerk of the House, who appeared before our committee yesterday.

Mr. BACHMANN. I want to say to the gentleman that I am a member of that committee, and there has been no discussion in that committee about an expenditure of that sum of money.

The SPEAKER. The time of the gentleman from North Carolina has again expired.

Mr. CHINDBLOM. Will the gentleman yield him additional time, in order that we may have that list read to us?

Mr. PERKINS. Mr. Speaker, I yield the gentleman two additional minutes.

Mr. WARREN. Mr. Speaker, I ask unanimous consent to insert this list in the Record.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CHINDBLOM. The printing of the list in the Record will not give us the information now. The gentleman has asserted that the cost of these investigations will be over \$200,000; that is, expended up to this time and contemplated. I think we ought to know what they are.

Mr. WARREN. Here they are.

Mr. GARNER. Mr. Speaker, I ask the gentleman from New Jersey to yield me two minutes.

Mr. PERKINS. Mr. Speaker, I yield the gentleman from Texas two minutes.

Mr. GARNER. Mr. Speaker, I want to call the attention of the House to this state of affairs, and I wish the Clerk of the House or the chairman of the Committee on Appropriations would do the House the kindness, or myself, if necessary, of putting in the Record the amount of money used by the Senate in its contingent fund and the purposes for which it is used, and the amount of money used by the House in its contingent fund and the purposes for which it is used.

We had the legislative appropriation bill before us the other day. It went over to the Senate and the Senate put on an amendment providing for the payment of the transportation of the clerks of each Member of Congress to their homes and return. The conferees on the part of the House declined to accept the Senate amendment and the result is we find introduced in the Senate yesterday—and it will probably become a law—a Senate resolution providing that each Senator's clerk shall have his transportation to his home and return paid at the rate of 8 cents a mile, the money to be paid out of their contingent fund.

Now, this is not right, and somebody ought to stop it. I do not know just how to do it, but somebody ought to stop such procedure. The Senate can not get its amendment adopted to pay the fare of their clerks home and return out of the general fund and the result is they take it out of the contingent fund. There is only one way to stop this kind of procedure and that is to cut down the contingent fund of the Senate and make an issue of it.

If the Senate clerks are going to have their fare paid home and return, the clerks of the Members of the House ought to have the same consideration. I protest against the procedure, and somebody, somewhere, ought to take the responsibility or at least make an effort to see that the contingent fund is not abused.

Mr. PERKINS. Mr. Speaker, I yield five minutes to the gentleman from New York [Mr. SNELL].

Mr. SNELL. Mr. Speaker, when the question of investigations by the House of Representatives is brought up in the House and criticised, I am interested. I do not think any man in this House has stood more firmly against investigations for the last eight years than the present chairman of the Rules Committee. We have had from 50 to 75 resolutions for investigation each session before us and we have never reported out more than 1 or 2 or 3 of them.

I think, perhaps, at some times I have stood too firmly against investigations. My principle has been that if an investigation is absolutely needed, then we ought to furnish the funds, but, as far as general investigations are concerned, we have not authorized them and there is no cause for anyone to criticize our expenses along this line, or our eagerness to make investigations.

One of the investigations we have authorized this year that will cost some money is in connection with legislation for the consolidation of railroads. I do not know whether I am for that legislation at the present time or not, or whether the legislation ought to be passed, but it is one of the most important questions before the American people at the present time, and the legislation is here and we will have to pass on it. If there is any information we can get relative to this subject we ought to have it; and, perhaps, it will cost \$100,000 to get it. I do not know, but I doubt if the gentleman can legitimately criticize the money that has been spent or authorized in that direction on account of the importance of the subject and the need of the information.

Mr. DENISON. Will the gentleman yield on that matter?

Mr. SNELL. I yield.

Mr. DENISON. I want to say to the House that splendid progress is being made in that investigation. A statement will be made to the House in the next two or three days about what has been done.

Mr. SNELL. I want to say in connection with the investigation of the communists in this country, as I have said on the floor on two or three previous occasions, the Rules Committee was not going to take the responsibility of saying there was nothing wrong or inimical to our Government going on here, and if there is any other Member who wants to criticize the amount of money it will take to get this information he does it on his own responsibility. As far as I am concerned, while I do not want to spend any money carelessly or needlessly, I am willing to stand for the authorization of enough money to get the absolute facts in connection with communist activities in America. [Applause.]

I do not want anything but the actual facts, and I do not think any man can consistently stand on the floor of this House and criticize us for doing that.

Outside of this, we have authorized the Committee on Banking and Currency at this session to spend \$3,500 in connection with an investigation of branch and chain banking. This was a limited amount. They did not travel, but have confined their activities to Washington and brought the witnesses here.

I think on the whole the House has been very conservative in its expenditures, and I am not sure but what we have been too conservative. I have been criticized more for that than for the fact I have been overdoing the matter of investigation. I do not think it should go out to the country that the House itself has been lavish in its expenditures for investigations, when I positively know it is not so and am not going to let any such statement go unchallenged.

Mr. McFADDEN. Will the gentleman yield?

Mr. SNELL. Yes.

Mr. McFADDEN. I would like to say that the constructive study which our Banking and Currency Committee has made has cost not to exceed \$1,300 of the \$3,500 that was appropriated.

Mr. SNELL. I think that is a good record, and I think the gentleman has done well to keep the amount as low as that.

I protest any criticism of the House as a whole in respect of the money we have spent in the last eight years for investigations, and I am sure that criticism is not justified.

Mr. PERKINS. Mr. Speaker, I yield 10 minutes to the gentleman from New York [Mr. LaGuardia].

Mr. LaGuardia. Mr. Speaker, I am willing to stand on the floor of this House and state that I have so much confidence in our form of government, that I have so much faith in our Constitution, that I do not fear our form of government can be changed or overthrown by any form of subversive propaganda or activity. I do not share in the fears or timidity of the sponsors of the resolution for which an appropriation is now sought.

We are surely in a sorry state if we fear propaganda which might be going on all over the world; and if such fears are justified, Mr. Ham Fish's commission will not be able to stop it. There is no reason for fear or anxiety. What a sad commentary on the history, tradition, and success of our Republic—this display of anxiety, this fear of so-called propaganda.

I have faith and I have confidence in the judgment and the loyalty of the American people and I am certain that any sort of agitation that an experimental theory of government may be attempted will simply fall flat. On the other hand, I do not believe in the suppression of free speech, in the right of thought, or the expression of an idea.

Mr. SNELL. Will the gentleman yield for a question there?

Mr. LaGuardia. In just a moment I will yield.

My colleagues well know that after the American Revolution there was great fear of the then new form of government established by the Colonies and this fear was expressed in the monarchies of Europe in much the same manner as some in this country talk about the communists. They treated that

change, that revolution, as a menace to the stability of their monarchies; they considered the new American Republic a challenge to the divine right of kings. Shortly thereafter the French Revolution—why the French and the leaders of that revolution were considered and treated by some of the conservatives of this country most unsympathetically, and we had the alarmists of that day fearing propaganda from the sponsors of the French Revolution, much alike to some of the gentlemen's attitude toward the communists.

Why, gentlemen, I was a Member of this House when this House cheered to the echo a representative of the Russian people who addressed the House after the overthrow of the Czar's Government. This country and the world rejoiced at the end of the Romanoff dynasty. I, for one, do not hesitate to say that any kind of a government they may have in Russia is better than the crude, autocratic, despotic government of Czar Nicholas and the monk Rasputin.

Of course, there is going to be propaganda; of course, there is going to be discontent; of course, the people are going to express their opinion; but, gentlemen, let me tell you the history of the world discloses that ideas can not be suppressed, expression of views can not be crushed, communication and exchange of views can not be stopped by any law or investigation. I want an opportunity to make myself clear that this Government is in no danger of propaganda of any kind.

Mr. O'CONNOR of New York. Will the gentleman yield?

Mr. LaGuardia. I yield.

Mr. O'CONNOR of New York. While I have been in favor of this resolution, is it not a fact that communists are recognized as a political party in the United States, and candidates run on that ticket in many States?

Mr. LaGuardia. In many States; yes. I want to point out that while we are appropriating to investigate the communists other branches of the Government are seeking trade with the Soviet Government of Russia.

What an inconsistent position we are taking. We are trading with Soviet Russia to the extent of \$300,000,000 or \$500,000,000 annually. I got the figures from the Department of Commerce, and at the same time the House of Representatives is investigating the so-called communist activities in this country. We read in the morning papers that there has been a secret meeting of the investigating committee, and then at the bottom of the news item a statement by the gentleman from New York, giving his revised version of what transpired. Why not an open public investigation?

I have all the confidence in the world in the personnel of the committee. The gentleman from New York [Mr. Fish] and I are close friends, but the conclusion is irresistible that the committee will soon have investigators and agents provocateurs just as there were during the war—anyone who had a grudge would send in anonymous communications or make complaints against their neighbors, charging them with "disloyalty" or being "un-American."

We have radicals and communists in New York, but we are in no danger of having the city or the State or the National Government overturned. I do not believe that we are in danger because some communist furrier in New York is going to take a needle and stick it into the fleshy part of Grover Whalen's anatomy. [Laughter.] Social revolutions are not brought about in that way.

Mr. DENISON. Will the gentleman yield?

Mr. LaGuardia. I will yield.

Mr. DENISON. The gentleman has read the statement of Mr. Green, of the American Federation of Labor?

Mr. LaGuardia. Yes.

Mr. DENISON. The gentleman from New York is not in accord with the officials of the Federation of Labor?

Mr. LaGuardia. Oh, the gentleman can not put me in that position. The gentleman from Illinois knows I consistently vote and fight for the rights and interest of labor. He can not put me in a position of not being in accord with the Federation of Labor. Yes; I am in accord with William Green when he appeared before our Committee on the Judiciary only yesterday and made a humane appeal for Congress to do something to solve the unemployment situation; to do something now before the end of the session.

Mr. DENISON. Will the gentleman yield again?

Mr. LaGuardia. Not now. Now is the time for Congress to do something constructive. If you do something to relieve the employment situation, do you not see that you will remove the ground for agitation? Why, with unemployment, resultant discontent, agitators, and the investigation by this commission, recruiting will be easy for the communist. Let us do something constructive; let us pass the Wagner bill before we adjourn. Study my resolution for uniform labor laws, unemployment insurance, and other necessary legislation. Give some sort of

study to the question of unemployment and do it in the good American way, and in that way we will stop all need for a congressional investigation on communistic activity. [Applause.]

Mr. DENISON. Mr. Speaker, will the gentleman yield?

Mr. LAGUARDIA. I yield.

Mr. DENISON. I am in entire accord with the gentleman upon the question of unemployment, and I am in accord with his suggestion in his remarks made here the other day, but I do not agree with the gentleman on this proposition.

Mr. LAGUARDIA. Oh, we may differ on some things. We don't agree on toll bridges, for instance. I appeal to the House. The resolution has been passed providing for the investigation, and we can not do anything now. But let us cut down this appropriation so that the committee will not go wild. I hope the gentleman from New Jersey [Mr. PERKINS] will yield to me for an amendment. The entire committee are Members of Congress. I am sure that they are not going to Russia, at least I do not think they contemplate doing that for the present.

Mr. BACHMANN. I can answer the gentleman for one member of the committee. I am not going to Russia.

Mr. LAGUARDIA. Perhaps if the gentleman went there and saw things he might have a different view entirely.

Mr. BACHMANN. As I understand it, the purpose of this committee is to find out what this movement in the United States is, and not in Russia.

Mr. LAGUARDIA. Very well. The gentleman is a good investigator, and I am sure that he is very fair, and I hope that he will agree with me that \$25,000 at this time is not needed. I would sooner spend that money for something necessary, something constructive in the way of solving the unemployment problem. Remove the cause of discontent and there will be no danger of communistic activity. But if there is unemployment, if there is want, suffering, hunger, no investigation by Congress on communism will stifle resentment. Patriotism can not be preached to a man with bodily hunger staring him in the face.

Mr. SIROVICH. Mr. Speaker, will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. SIROVICH. The gentleman will agree with me that you can not imprison an ideal, that you can not shackle a philosophy of principle, but you can investigate what I believe to be paid propaganda of the communistic government that is breeding sedition and rebellion in the industries of New York.

Mr. LAGUARDIA. Let me say to the gentleman that if he will read the statement made by the former police commissioner, Mr. Whalen, before the Committee on Immigration, he will find there nothing but the old open-shop argument and nothing else. Every open shopper will call everyone who seeks to protect the interests of the workers a bolshevik. Let us not be enticed away on an appeal for security into a movement for the open shop, to destroy labor unions in this country. That is what I protest against.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. PERKINS. Mr. Speaker, I yield five minutes to the gentleman from Missouri [Mr. COCHRAN].

Mr. COCHRAN of Missouri. Mr. Speaker and Members of the House, I agree with one part of the gentleman from New York's remarks, and that is that most of the discontent in this country is caused by unemployment. The situation confronting us now is this. The House by a practically unanimous vote passed the resolution to investigate. The eyes of the House were wide open, and I might add the resolution is likewise wide open. I did not think at the time that sufficient information was given to the House to warrant us in feeling that there is a real red menace in this country.

This question comes up now as the result of the gentleman from New York [Mr. FISH] introducing a resolution asking for \$50,000 to carry out the purposes of the original resolution. This resolution was referred to the Committee on Accounts, of which I am a member. What were we to do? Refuse to grant an appropriation to make the investigation and defy the will of the House, or bring back the resolution to the House and let the House vote upon it? The gentleman from New York [Mr. FISH] made a statement before the Committee on Accounts. I was immediately convinced by that statement that he was following the old policy of asking for twice the amount he wanted, and if given half, would be perfectly satisfied. That is what the committee did—gave him half—but it went further. The resolution provides that the various agencies of the Government shall furnish this committee with experts to assist in their investigation, and, in my opinion, if the House agrees to that provision, it will be giving the committee at least \$25,000 worth of service besides \$25,000. When you transfer men from the Department of Justice, from the Secret Service, from the Department of Labor and post office inspectors to this committee

to help them along with the investigation, you are giving them the equivalent of a good many thousand dollars. It is up to the House to determine how much it will give the committee. Frankly I think that \$15,000 would be sufficient at this time until December 1 next, if you agree to the other part of the resolution designating Federal employees to work in cooperation with this committee. I feel that I have discharged my obligation as a member of the Committee on Accounts by helping to bring this resolution back to the House for the House to decide itself whether it wants to give \$25,000, \$15,000, or \$5,000.

Mr. FISH told our committee it would be necessary to pay experts about \$20 a day and expenses. The committee, by providing for help from the departments, makes it possible for the special committee to get expert advice and expert investigators for their expenses, as their salaries will be paid by the department from which they are assigned. You will therefore see the Accounts Committee has been most liberal in recommending \$25,000.

Of course, under the terms of the resolution, the committee can go a long way, as its activities are unlimited. While I am not alarmed over this situation I do hope that the investigation, now that it is to be made, will be thorough.

In my judgment, it would be well if the Congress enacted legislation that would, while not interfering with one's constitutional rights, prevent individuals or groups from doing what some allege has been going on for some time. The departments say they have no laws to meet the situation if they found it to exist, and that is their reason for stating they have made no investigations and therefore have no information of value for the committee to work on.

Mr. PERKINS. Mr. Speaker, I yield one minute to the gentleman from North Carolina [Mr. WARREN].

Mr. WARREN. Mr. Speaker, since I made my original statement the Clerk of the House has informed me that he thinks his figures were too high for the communist investigation, which he originally estimated at \$100,000. He asks me now to change the figures to \$50,000, which I gladly do, and I herewith insert the statement as a part of my remarks.

*Estimated expenditures, fiscal year 1931, for special and select committees, House of Representatives, so far authorized or contemplated*

Purpose:

Joint committee internal revenue taxation salaries and office supplies.....	\$20,000.00
Interstate and Foreign Commerce Committee, investigating common carriers; unexpended balance already authorized \$16,486.45 plus \$25,000 additional amount required.....	41,486.45
Investigation of the communist party of the United States (Congressman Fish, chairman).....	50,000.00
Investigation of United States Shipping Board (contemplated).....	30,000.00
Investigation of campaign contributions (contemplated).....	20,000.00
Banking and Currency Committee, investigating branch banking; unexpended balance already authorized.....	2,250.00
Special committee, three Members of the Senate and three Members of the House to attend celebration, Battle of Kings Mountain, State of South Carolina, one-half to be paid by the House (H. Con. Res. 21).....	Actual expenses.
Special committee, three Members of the Senate and three Members of the House to attend celebration of American independence by the Lewis and Clark expedition, Great Falls, Mont., one-half to be paid by the House (H. Con. Res. 28).....	Actual expenses.
Contested-election case, H. F. Lawrence v. J. L. Milligan, subpoenaing witnesses, ballots, papers, etc. (H. Res. 235).....	Necessary expenses.
Total amount as specified above (authorized and contemplated).....	163,736.45
Amount appropriated for fiscal year 1931.....	40,000.00
Estimated deficiency.....	123,736.45

No amount estimated for funeral expenses of deceased Members or any other expenses that may be authorized.

Mr. PERKINS. Mr. Speaker, I yield five minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Speaker, first I want to compliment the gentleman from New York [Mr. FISH] for introducing his resolution. Next, I want to compliment the chairman of the Committee on Rules and his committee for bringing in the rule that brought that resolution on the floor of the House for passage. Then I want to compliment the House for passing the resolution with less than 20 votes against it. I think it is a step in the right direction.

If the gentleman from New York and his committee does the work that is contemplated to be done, it will be \$25,000 well spent for the people of this Nation. The time has come when the insidious and invidious propaganda of Russian communists in this country should be known to the people and should be stopped. Some one said something about what the president

of the American Federation of Labor said yesterday. He admits that the slogan of the communists, "of boring from within," has menaced his American Federation of Labor, because communists have become members of his organization, and he says that they are getting rid of them just as fast as they can find them out. The purpose of this committee is to help find them out, and it expects to stop their activities in this country. It has been said that there are over 100 communist publications that are daily published in the United States advocating the overthrow, by force and violence, of this Government and our flag.

I want to suggest this to the gentleman and his committee, that the best-posted man in the United States, in my judgment, on this subject is Hon. Francis Ralston Welsh, whose address is 20 South Fifteenth Street, Philadelphia. He can give from his files to the committee some of the most valuable information that they can find anywhere. I want to suggest to the committee that they start with Mr. Welsh and get his files, which he has been accumulating for years on this subject. He is a man who has patriotically and generously given of his time and his energy and his means gratuitously to the United States to help stop this menace. I hope that the committee will go into the subject thoroughly, and that they will bring to light and report to Congress whatever is going on in this country of communistic activities at this time. [Applause.]

Mr. PERKINS. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution. The resolution was agreed to.

FRED SCHWARZ, JR.

The SPEAKER. The Clerk will report the first bill in order on the Private Calendar.

The first business in order on the Private Calendar was the bill (H. R. 7068) for the relief of Fred Schwarz, jr.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COLLINS. Reserving the right to object, Mr. Speaker, was not this expense incurred by the coroner in the ordinary discharge of his duty?

Mr. IRWIN. I will say to the gentleman that I think not. I think this was an extraordinary situation. The Veterans' Bureau was especially interested in an affair presented to it.

Mr. COLLINS. That is the point I have in mind. I do not find anywhere in the committee report that the Veterans' Bureau ever asked that this transcript be made for it.

Mr. IRWIN. There seems to be some doubt. The newspapers of the country gave this matter quite a lot of notoriety. Director Hines is back of this bill. While I think the report is a little meager, yet he asked that this investigation be made in the interest of the bureau.

Mr. COLLINS. Here is the point I have in mind: If a governmental bureau asked for the transcript of a coroner's inquest, I think the expense ought to be paid; but if this transcript was furnished in the ordinary discharge of the coroner's duty, I do not think the Government is required to pay for it.

Mr. IRWIN. I believe that there were certain circumstances attending the case which prompted the Veterans' Bureau to ask for this special investigation.

Mr. COLLINS. If the gentleman will assure me that the Veterans' Bureau did ask that this transcript be made, I will withdraw my objection.

Mr. IRWIN. I think that is the fact.

Mr. COLLINS. Mr. Speaker, I withdraw my objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

*Be it enacted, etc.,* That the Director of the United States Veterans' Bureau be and he hereby is, authorized and directed to pay to Fred Schwarz, jr., coroner of the county of Philadelphia, Philadelphia, Pa., out of appropriations for "salary and expenses," the sum of \$31.25 in full satisfaction of all claims against the United States for stenographic transcript of the coroner's inquest to ascertain the cause of death of Joseph P. Barlow, an employee of the United States Veterans' Bureau.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the last vote was laid on the table.

JAMES H. CONLIN

The next business on the Private Calendar was the bill (H. R. 6088) for the relief of James H. Conlin.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COLLINS. Mr. Speaker, I think I shall have to object to the consideration of this bill. This man, according to the report of the committee, was wholly inefficient in the administration of the Quartermaster Corps. I object.

The SPEAKER. Objection is heard.

JOHN MAIKA

The next business on the Private Calendar was the bill (H. R. 531) for the relief of John Maika.

The title of the bill was read.

There being no objection to its consideration, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay John Maika the sum of \$10,000 as compensation for the death of his son, Michael Maika, who was struck and killed by an Army truck of the United States of America on the 3d day of September, 1923, and the said sum of \$10,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to carry out the provisions of this act.

With committee amendments as follows:

Page 1, line 5, strike out "\$10,000 as compensation for" and insert "\$5,000 in full settlement of all claims against the Government of the United States resulting from."

Page 1, line 10, strike out "\$10,000" and insert "\$5,000."

Page 2, after line 2, insert: "Sec. 2. That no part of the amount appropriated in this act in excess of 10 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 per cent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The SPEAKER. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote whereby the bill was passed was laid on the table.

MARY A. COX

The next business on the Private Calendar was the bill (H. R. 575) for the relief of Mary A. Cox.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COLLINS. Mr. Speaker, reserving the right to object, this is a case of a stenographer who had writer's cramp and now feels the Government should compensate her indefinitely because of it.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. COLLINS. I yield.

Mr. SCHAFER of Wisconsin. This bill merely grants to the United States Employees' Compensation Commission an opportunity and authority to consider the claim on its merits. The Committee on Claims, during its consideration of the bill, before reporting it, did not inquire into the actual amount of disability or make any finding as to whether the evidence produced by the affidavits showed that the injury resulted from her service. There is a preponderance of the evidence filed with the committee which indicates that this lady did work 14, 15, and 16 hours a day, day after day, during the war, using her hand to figure while doing clerical work.

Mr. COLLINS. Does the gentleman not know that if we begin the practice of giving compensation to persons because of writer's cramp we will have thousands of such cases in a very short time?

Mr. SCHAFER of Wisconsin. I will state to the gentleman from Mississippi that this bill will not establish a precedent at all. If to-day some employee who files a claim within the time limit under the act has writer's cramp, which is the result of service, he will be able to receive a certain percentage of compensation if the claim is established. This bill merely extends the right to this claimant to file her claim with the United States Employees' Compensation Commission, and have that commission determine its merits. She did not have sufficient information about her rights within one year from the date of the injury to file a claim.

Mr. O'CONNELL. This simply gives her the right to prove her case.

Mr. SCHAFER of Wisconsin. Absolutely.

Mr. COLLINS. But if we start the practice of permitting bookkeepers and stenographers to file claims with the Compensation

tion Commission on account of writer's cramp, the gentleman knows very well where it is going to end.

Mr. SCHAFFER of Wisconsin. We do not have to start that. That has been started.

Mr. COLLINS. But you are starting it here.

Mr. SCHAFFER of Wisconsin. Oh, no. I will say to my colleague that if somebody in the Government employ to-day suffers from writer's cramp, in line of duty, and if they file a claim within one year, the Employee's Compensation Commission must act upon the claim and determine its merits. This bill does not establish a precedent. It merely extends the period of time in which to file the claim. The lady did not have knowledge of the fact that she could file a claim with the United States Employee's Compensation Commission until after the time limit had expired. There is no precedent involved whatever. The bill is perfectly proper when you take into consideration all the evidence in the files.

Mr. PATTERSON. Will the gentleman yield?

Mr. SCHAFFER of Wisconsin. I yield.

Mr. PATTERSON. It does not state any amount? It just gives her the right to file her claim?

Mr. SCHAFFER of Wisconsin. Absolutely. It does not state whether they will pay her one penny.

Mr. COLLINS. I understand that, but the gentleman knows it will be paid.

Mr. LINTHICUM. Will the gentleman yield?

Mr. COLLINS. I yield.

Mr. LINTHICUM. I want to say, as the gentleman from Wisconsin says, this does not establish any precedent. They have that right at this time. This bill merely gives this lady the right to put her claim before the Employees' Compensation Commission.

Mr. COLLINS. Why did she not put it there originally? She did not file it because she knew it would not be allowed.

Mr. LINTHICUM. I do not know why she did not do it. She is a woman of some age. It is only fair to let her have a chance at it.

Mr. SCHAFFER of Wisconsin. She left the Government service and did not know she had the right to file a claim. This bill does not establish any precedent whatever. It merely gives the lady the opportunity to file a claim and let the commission determine its merits.

Mr. COLLINS. This is the last writer's-cramp case that I am going to let go through.

Mr. STAFFORD. Reserving the right to object—

Mr. ROWBOTTOM. Mr. Speaker, regular order.

Mr. STAFFORD. Then, I object.

MARTIN E. RILEY

The next business on the Private Calendar was the bill (H. R. 3238) for the relief of Martin E. Riley.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, from my recollection of this case, it is questionable whether this post-office clerk acquired disability in the service. I believe the Post Office Department calls attention to the fact that it is questionable whether the postal clerk acquired the disability in the service.

Mr. SIMMS. If the gentleman from Wisconsin will read the report at length, he will find the only adverse report that has been made in any way affecting this application is by the Postmaster General, in which he declined to give approval to the bill. The testimony produced in the letter of the postmaster at Chicago and of the Superintendent of Mails and of other postal clerks employed with Martin Riley, indicated that during the 23 years he was in the service he complained vigorously and frequently because there was no proper protection given him and other employees against the drafts in wintertime that came into the room where he was of necessity required to work in handling the mail as a distributor.

Mr. STAFFORD. I wish to inquire whether it is claimed the disability was acquired prior to the passage of the present compensation act?

Mr. IRWIN. No. The man simply did not know his rights, and he was trying to get along, expecting that he would recover, and that is the reason the claim was not filed earlier.

Mr. STAFFORD. So, the disability was acquired subsequent to the enactment of the compensation act?

Mr. IRWIN. Well, I thought it was prior to 1916.

Mr. SIMMS. If the gentleman from Wisconsin will permit, the disability was acquired during the years immediately prior to when Mr. Riley left the service—that is to say, before 1917—perhaps in the year 1917 and in 1916.

Mr. STAFFORD. When did the compensation act take effect?

Mr. IRWIN. 1916. The compensation act took effect then, and, as I understand, the man did not want to apply right away, thinking his disability would not be such that it would be necessary. He did not know his rights. That is the reason he did not apply.

Mr. STAFFORD. This determines that he contracted tuberculosis in the service?

Mr. IRWIN. Yes.

Mr. STAFFORD. It does not leave it to the Compensation Commission to determine?

Mr. IRWIN. No.

Mr. SIMMS. It is based on the set-up of facts contained in the report.

Mr. STAFFORD. What has the chairman of the committee to say as to the evidence that this disability was acquired in the service, in view of the fact that you find it as a fact and do not leave it to the Compensation Commission?

Mr. IRWIN. The evidence was conclusive to the committee that the man had contracted tuberculosis while in the service. Therefore we recommended that the commission put this man under the provisions of the law.

Mr. STAFFORD. Mr. Speaker, I withdraw the reservation of objection.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That in the administration of the employees' compensation act of September 7, 1916, as amended by the act of February 12, 1927, the Employees' Compensation Commission is authorized and directed, in connection with any application which has been or may be filed by Martin E. Riley, now of Albuquerque, N. Mex., to consider that he contracted tuberculosis in the service of the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

FERNANDO MONTILLA

The next business on the Private Calendar was the bill (H. R. 3732) for the relief of Fernando Montilla.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Postmaster General is authorized and directed to credit the account of Fernando Montilla, former postmaster at San Juan, P. R., in the sum of \$8,848.88. Such sum represents the amount of a deficit in the account of the said Fernando Montilla, caused by the embezzlement of postal funds at various times prior to March 26, 1925, by the foreman of the money-order division of the San Juan post office.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

DR. CHARLES W. REED

The next business on the Private Calendar was the bill (H. R. 4176) to extend the benefits of the employees' compensation act of September 7, 1916, to Dr. Charles W. Reed, a former employee of the United States Bureau of Animal Industry, Department of Agriculture.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the United States Employees' Compensation Commission shall be, and it is hereby, authorized and directed to extend to Dr. Charles W. Reed, a former employee of the United States Bureau of Animal Industry, Department of Agriculture, the provisions of an act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

HENRY A. RICHMOND

The next business on the Private Calendar was the bill (H. R. 5801) for the relief of Henry A. Richmond.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BLANTON. Mr. Speaker, reserving the right to object, this bill sets a bad precedent.

The only time that the amount of forfeited bonds are returned to the surety is where the surety brings in the defaulter himself. In this case, while the surety helped the authorities to apprehend, yet he did not produce the defaulter. If you pass this bill, you are going to set a bad precedent, so that every time a bond is forfeited and the Government apprehends the culprit you are going to find the surety coming to Congress and asking that he be relieved. It is a precedent that ought not to be set, and I object.

RAY WILSON

The next business on the Private Calendar was the bill (H. R. 5872) for the relief of Ray Wilson.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the United States Treasury not otherwise appropriated, the sum of \$300 to Ray Wilson, in full of all claims he may have against the Government for damages done to property by a United States mail service airplane on July 10, 1920.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

SOUTHERN RAILWAY CO.

The next business on the Private Calendar was the bill (H. R. 6080) for the relief of the Southern Railway Co.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I have had considerable difficulty in bringing myself around to a favorable inclination toward this bill. I do not recall the details just now, because it has been some weeks since I examined the report, but, as I recall, the War Department prepared some property for shipment; it was taken possession of by the railroad company and through no fault of the Government the property was destroyed. Let me read what the Secretary of War said as far back as 1922. The then Secretary of War, Hon. John W. Weeks, said:

Furthermore, the evidence indicates that the accident was due to negligence—

Mr. VINSON of Georgia. From what page of the report is the gentleman reading?

Mr. STAFFORD. I am reading from page 3, the last sentence of the third paragraph on that page:

It is not shown that the Government subjected the carrier to any greater hazard than was contemplated in the acceptance of the material, nor is it shown that said material was improperly packed or cased. Furthermore, the evidence indicates that the accident was due to negligence [of the employees of claimant] caused by rough handling in loading the shipment on cars, rather than any inherent defect in the explosives themselves, or the alleged improper description of the shipment on Government bill of lading, and consequently no liability rests upon the United States on account of the damage caused by the explosion.

As I recall the case now, here was a certain number of cases of explosive materials, properly labeled that they were explosives, taken over by the railroad company, and through the negligence of the carrier's servants an explosion occurred and damages suffered. Now the railroad company is seeking to relieve itself of liability on account of this accident.

Mr. VINSON of Georgia. Let me state to the gentleman from Wisconsin that his facts are inaccurate. As a matter of fact, there was no label on these 70 odd boxes showing they were explosives. They were merely labeled to keep away from fire. These were some 7,000 pounds of flares.

Mr. STAFFORD. Does not the gentleman think that when a label was placed on these boxes—

Mr. VINSON of Georgia. To keep away from fire.

Mr. STAFFORD. No; something more, and I am reading from the official report of the Secretary of War. These boxes were definitely marked "Special fireworks, keep away from fire." Does not the gentleman think that was sufficient notice to the employees of the carriers that they were carrying dangerous merchandise?

Mr. VINSON of Georgia. If the gentleman will go a little further he will see that under the Interstate Commerce Com-

mission rules whenever you ship an explosive article, the carrier must be notified that it is an explosive article. There is nothing in the language "Fireworks; keep away from fire" to show that it is an explosive article that is being shipped. Here were some 60-odd boxes of explosives. There was nothing to notify the Southern Railroad that it was an explosive. There were facts to notify the Southern Railroad that it was of a combustible character and to keep it away from fire, but the gentleman from Wisconsin can not conclude that the shipper was put upon notice. The shipper had no notice of the character of the article that was being shipped, and the rules of the Interstate Commerce Commission require that whenever a shipper receives articles of an explosive nature they must be so marked. As a matter of fact, it is a violation of law to ship any article that is not designated with respect to its character.

Let me state further to the gentleman from Wisconsin that these were experimental flares purchased by the Government. They were bought in Texas. They were shipped to the Augusta, Ga., Arsenal at Augusta, Ga., and then they were ordered shipped by the Bureau of Ordnance to Charleston, S. C. The arsenal officials carried them to the Southern depot, placed them in a warehouse, and the Southern depot employees were placing them in freight cars when an explosion occurred and some five or six people were killed and some fifty-odd thousand dollars of damage was done. The insurance company reimbursed the Southern Railway Co. in the amount of about twenty-some thousand dollars reducing the claim.

If the gentleman will further examine, he will find the War Claims Board in 1921 made an investigation and held that the explosion was not caused by the negligence of any of the railroad employees and recommended favorable consideration of the claim. He will also find where the Assistant Secretary of War recommended this claim. He will find where the bureau—

Mr. STAFFORD. Where?

Mr. VINSON of Georgia. In the report. I will read it, on page 1:

By letter of date August 11, 1921, claimant was advised by the Comptroller General of the disallowance of claim. This was after the War Department Claims Board had, upon a full hearing, unanimously approved the claim, which finding was concurred in by the Assistant Secretary of War; and it may be added that the bureau of explosives concluded that the Government was responsible.

Now, what does the Secretary of War recommend? He does not recommend this claim. He leaves it to the discretion of the Congress. Look at his language. Let me call attention to the language of former Secretary Weeks:

From a consideration of the foregoing and the exhibits herewith, it is apparent that the accounting officers of the Treasury have arrived at the conclusion that the happenings in connection with this explosion must be considered as a character in which the liability of the Government, if any, and such relief as it may be proper to grant, are for the direct consideration of Congress. This being the case, there is really nothing left for the War Department to do in this case but to advise Congress what happened as is disclosed by the records, and leave it solely to the discretion of Congress as to any adjustment or judgment that may be rendered as a result thereof.

So nowhere has the Government disapproved this claim. The Bureau of Explosives states it was not properly labeled, that it was the fault of the arsenal officials in not notifying the Southern Railway of its character.

Mr. STAFFORD. Let me direct the gentleman's attention to this statement in the same letter of the late Secretary of War, John W. Weeks:

It appears that each box was distinctly marked, "Special fireworks—Keep away from fire," and that the claimant, through its agents, knew the nature of the shipment and its dangerous character. It does not appear that the claimant was misled in any way relative thereto.

This is a very positive statement. Wherein was the claimant or its agent misled?

Mr. VINSON of Georgia. They were misled for the simple reason that when you mark an article, "Keep away from fire," that does not carry with it the fact that it is an explosive.

Mr. STAFFORD. It said more than "Keep away from fire." It said, "Special fireworks," and did not that describe the article?

Mr. VINSON of Georgia. Would the gentleman say that if you were shipping a carload of dynamite and marked it, "Keep away from fire," that would carry with it the idea it was dynamite?

Mr. STAFFORD. This was not dynamite.

Mr. ROWBOTTOM. It was dropped and went off. It was not set off by fire.

Mr. VINSON of Georgia. The law governs this case. Let me read the gentleman the law governing this matter:

If the shipper of an explosive or dangerous substance fails to notify the carrier or his agent of the danger which attends the handling of it while in course of transportation, and an injury results or damage results, the shipper is liable for the injury or damage thus sustained.

Mr. STAFFORD. That is the argument in the brief filed by the attorney for the railroad company.

Mr. VINSON of Georgia. I may say to the gentleman from Wisconsin that this case has been most carefully considered. It has been before the Claims Committee for years and the reason it has not been reported before is due to the great volume of work that committee has had before it. The War Department has no objection.

Mr. STAFFORD. I shall ask to have the matter go over temporarily so that I may give further consideration to it.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, I object, temporarily.

B. C. GLOVER

The next business on the Private Calendar was the bill (H. R. 6665) for the relief of B. C. Glover.

The Clerk read the title to the bill.

The SPEAKER pro tempore (Mr. SNELL). Is there objection?

Mr. ARENTZ. Reserving the right to object, I notice that the gentleman from Wisconsin [Mr. SCHAFER], who is the great watch-dog around here, has reported favorably this bill, and the gentleman from Arkansas, for whom I have a high regard, has introduced the bill. I have reserved the right to object until I hear from these two gentlemen.

Mr. SCHAFER of Wisconsin. I will state that "the gentleman from Wisconsin" has spent a great deal of time considering the merits of this bill. The full Claims Committee spent considerable time on it after the report of the subcommittee, of which I am chairman, was made. I endeavored to set out in the committee report practically all of the facts which seemed to justify favorable action.

This man, B. C. Glover—and, by the way, he is not related to the author of the bill—was a deputy sheriff at Stuttgart, Ark., and during the war served papers for the draft board. It happened that there were a considerable number of colored gentlemen who did not like the idea of going to war, and subpoenas had to be served on them by the draft board.

The testimony produced before the committee clearly indicated that Mr. Glover was a very energetic officer, who faithfully performed his duties under the direction of the draft board. These colored gentlemen who did not like the idea of going to war were having subpoenas served upon them. This man Glover had a subpoena for one of them whom he saw across the street. He started for the other side of the street to serve the paper, and he was so zealous in his duty and so anxious to apprehend this colored gentleman, and present him to the draft board, that he met with serious accident while crossing the street. The evidence indicates that the first person who came to the rescue of this faithful deputy sheriff while lying there in the street was the man that he was after. While Mr. Glover was still lying on the street as a result of the accident he served the papers on his man.

I believe that we should properly recognize this service and pass this bill as a matter of principle and of justice.

Mr. ARENTZ. Does not the gentleman think it was the duty of the sheriff or a deputy sheriff to do the work that this man was doing?

Mr. SCHAFER of Wisconsin. Of course, it was his duty, and his serious injuries were suffered in line of and as a result of his faithful performance of his duty. This man rendered great service to his country, and there is no provision of existing law under which he can receive compensation. The amount appropriated in the bill as amended is a very small compensation. I believe that the facts would even warrant a much higher amount than is reported in the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to B. C. Glover, of Stuttgart, Ark., the sum of \$5,000. Such sum shall be in full settlement of all claims against the United States on account of injuries sustained by the said B. C. Glover in 1917 while he was engaged in serving summonses for the local draft board for Stuttgart, Ark.

With the following committee amendments:

Amendment No. 1: In line 6, strike out "\$5,000" and insert in lieu thereof "\$2,500."

Amendment No. 2: Add a new section, as follows:

"Sec. 2. That no part of the amount appropriated in this act in excess of 10 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 per cent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

HARRY P. LEWIS

The next business on the Private Calendar was the bill (H. R. 4159) for the relief of Harry P. Lewis.

The Clerk read the title to the bill.

The SPEAKER pro tempore. Is there objection?

Mr. BLANTON. Reserving the right to object, and I shall not object, I want to make this statement: This man is still carried on the records of the Navy as a deserter, and the Navy Department recommends that the bill do not pass. But out of consideration for our good friend I shall not object.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That in the administration of the compensation law and laws conferring rights and privileges upon honorably discharged soldiers, sailors, marines, their widows and dependent relatives, Harry P. Lewis shall hereafter be held and considered to have been honorably discharged from the United States Marine Corps as a private on June 4, 1907.

With the following committee amendment:

Line 8, after the numerals "1907," strike out period, insert colon, and add the following proviso: "*Provided,* That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

JOHN A. FAY

The next business on the Private Calendar was the bill (H. R. 9267) for the relief of John A. Fay.

The Clerk read the title to the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Warrant Officer John A. Fay, United States Army, out of any money in the Treasury not otherwise appropriated, the sum of \$315.96, as reimbursement for a like sum collected from him and deposited into the Treasury as excess cost of transporting his dependents upon his permanent change of station from Fort Wayne, Mich., to Camp McCoy, Sparta, Wis., in June, 1927.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

I. B. KRINSKY ESTATE

The next business on the Private Calendar was the bill (H. R. 524) for the relief of I. B. Krinsky Estate (Inc.) and the Fidelity & Deposit Co. of Maryland.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. BLANTON. Mr. Speaker, reserving the right to object, will the gentleman from Maryland kindly give us some explanation of the bill.

Mr. GAMBRILL. Mr. Speaker, the Krinsky Estate (Inc.) were manufacturers of cigarettes intended for foreign trade. They gave a bond, an export bond, with the Fidelity & Deposit Co., of Maryland, as surety. Cigarettes which are exported do not have to pay the internal-revenue tax. When the goods in question were in the warehouse, in the course of transportation, they were destroyed by fire. Consequently they were not sold in this country, and did not come in competition with cigarettes used in this country which have to pay the internal-revenue tax.

Mr. BLANTON. Mr. Speaker, I notice that the Treasury Department says that the bill is not in conflict with the financial program of the President, and I shall not object.

Mr. O'CONNELL. The Secretary of the Treasury does not object to it.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the internal-revenue tax of \$15,000 assessed against the I. B. Krinsky Estate (Inc.), of New York, N. Y., in respect of 100 cases of cigarettes (export stamps numbered 445982 to 446081, inclusive) is abated. Such cigarettes, while stored in a warehouse awaiting sale for export, were destroyed by fire.

Sec. 2. The Fidelity & Deposit Co. of Maryland, of Baltimore, Md., is relieved of liability for such tax upon its bond as surety for the I. B. Krinsky Estate (Inc.).

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

ELIZABETH B. DAYTON

The next business on the Private Calendar was the bill (H. R. 2782) for the relief of Elizabeth B. Dayton.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. COLLINS. Mr. Speaker, reserving the right to object, I want to know something about the bill.

Mr. BLANTON. It depends upon whether or not everyone who gets scarlet fever is going to be compensated by the Government.

Mr. COLLINS. This bill will authorize the compensation commission to pay the claimant because scarlet fever was contracted by her. If one gets measles he will be compensated, or if one catches a cold he will be compensated. I do not know where we will stop. We had a writer's-cramp case over here a little while ago, and so it goes. Any sort of an infection that one gets, if he is an employee of the Government, the Government will have to pay him because of it; it matters not if he contracted it at the office or his home or the theater.

Mr. GIFFORD. Mr. Speaker, this matter has been before the Committee on Claims for a year and has been thoroughly considered. The United States Compensation Commission has paid many claims to school teachers where children have brought diseases into the schoolroom and the teachers have contracted the disease. In this case this woman contracted scarlet fever from one of the employees of the Shipping Board. Later she came down with arthritis, and has been in the hospital ever since, with the expenses of two nurses and a private room. She has spent all of her money and borrowed \$1,600 from outside sources. The Shipping Board favors this legislation and they have paid a portion of her salary for one year. The compensation board say in this letter that we have here that if she had notified the board within the year prescribed by the law they would have recognized her claim. The only question in this particular case is that she did not notify them in time. The woman was so sick toward the end of that first year that she could not do it, and could not think anything about it. I can not imagine a better claim to be presented to this House than this particular claim. I have to agree to the retroactive clause, although she has been sick for two years.

Mr. COLLINS. Suppose this lady had been in the employ of some corporation and had contracted scarlet fever, would the corporation pay such a claim? Of course not.

Mr. GIFFORD. If they had an insurance division. The Compensation Board of the United States Government provides for these things. All of the departments involved favor this bill. This is a third-party action. She will probably assign all of her rights. The Government may possibly recover something.

Mr. COLLINS. What has the gentleman to say about the place where the scarlet fever was contracted? Is the gentleman certain that this lady contracted scarlet fever at the office of the Shipping Board?

Mr. GIFFORD. Yes. That has been agreed to by the insurance division of the Shipping Board after a careful consideration of the matter.

The SPEAKER pro tempore. Is there objection?

There was no objection, and the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the benefits provided for employees of the United States suffering injuries while in the performance of their duties, and for other purposes, by act of Congress approved September 7, 1916, shall be extended by the United States Employees' Compensation

Commission to Elizabeth B. Dayton, an employee of the United States Shipping Board, who contracted scarlet fever while in the performance of her duties on March 21, 1928; and that the benefits shall accrue as of the above-mentioned date.

With the following committee amendment:

Line 10, after the semicolon, strike out "and that the benefits shall accrue as of the above-mentioned date" and insert "and that the benefits shall commence from the date of the passage of this act."

The committee amendment was agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

META S. WILKINSON

The next business on the Private Calendar was the bill (H. R. 3441) for the relief of Meta S. Wilkinson.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, and in full settlement against the Government, the sum of \$5,000 to Meta S. Wilkinson, on account of the death of her husband, Jordan E. Wilkinson, who was drowned in Hyde County, N. C., March 7, 1929, while assisting the bridge tender to open the drawbridge across the inland waterway from Norfolk, Va., to Beaufort Inlet, N. C.

Mr. BACHMANN. Mr. Speaker, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment offered by Mr. BACHMANN: Page 1, line 5, after the word "settlement," insert the words "of all claims."

Mr. BLANTON. Mr. Speaker, I just want to call attention to the fact that the Secretary of War makes this recommendation on this bill:

It appears that Mr. Wilkinson was a mere volunteer, acting without request, was twice warned of his perilous position, and that his accidental death was in no way the fault of any officer or employee of the United States, and was not occasioned by any defect in the bridge apparatus. Under these circumstances, favorable consideration of the bill is not recommended, as no reason appears to the War Department why the United States should make compensation for his death.

That statement is signed by the Secretary of War.

I just want to say that as one Member of Congress I can not approve of claims of this kind which the departments object to, recommending that they do not pass. But it is a responsibility that rests upon the committee; and if the committee brings in these bills and continues to have them passed, I do not know what will become of the Treasury.

Mr. BACHMANN. I want to say to my friend from Texas that that is not all that there is in this case.

Mr. BLANTON. That statement read by me was from a Cabinet officer of the gentleman's present Republican administration.

Mr. BACHMANN. That is one side of the case; but if the gentleman will read further he will find there is some question as to whether or not this man was negligent in assisting the man in charge of the dam.

I spent considerable time on this bill, and at first felt inclined to object to it, but when I went into the matter further I was satisfied with the action of this claimant.

Mr. STAFFORD. Mr. Speaker, I move to strike out the last word.

The SPEAKER pro tempore. The gentleman from Wisconsin is recognized.

Mr. STAFFORD. Mr. Speaker, I wish to make an inquiry of the chairman of the committee. I have doubts whether the injury was not due to this man's intruding himself into the operation of this bridge; whether he was really not a trespasser, or whether the claimant really deserves any consideration on the part of the Government.

Mr. IRWIN. The committee gave this bill very careful attention, and considered the objection that the gentleman from Texas [Mr. BLANTON] raised. We felt that this man voluntarily gave his help to the Government employees, and while doing so he lost his life.

Mr. STAFFORD. Was it not done against the protest of the bridge tender?

Mr. IRWIN. I will say to the gentleman that in all cases where a department makes its report—and I have had some experience in examining these claims—the War Department and also the other departments hew very closely to the line and do not give the other fellow the benefit of the doubt.

I would like to say further that we do not always take the department's recommendation. Sometimes they know very little of the case except what they say in their report; which is not enough information. The committee examines the testimony of witnesses very carefully before making a decision.

Mr. STAFFORD. In view of the gentleman's statement that his committee has examined this matter carefully, I shall not press the objection.

Mr. BACHMANN. Mr. Speaker, I want to say that this man had on several occasions before that been invited to do the same thing that he did on this occasion.

Mr. STAFFORD. That fact was not called to my attention.

Mr. BACHMANN. I know that the committee, or certain members of it, did not credit the statement that this man had been warned not to get in the way, because the very man who reported that the poor fellow had neglected his warning was knocked into the river himself.

Mr. BLANTON. The War Department could have settled this claim itself if it had deemed it lawful.

The SPEAKER. The time of the gentleman from Wisconsin has expired.

Mr. BACHMANN. Mr. Speaker, I submit the usual amendment relating to attorneys' fees.

The SPEAKER pro tempore. The Clerk will report the amendment offered by the gentleman from West Virginia.

The Clerk read as follows:

Amendment offered by Mr. BACHMANN: *Provided*, That no part of the amount appropriated in this act in excess of 10 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 per cent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

BRYAN SPARKS AND L. V. HAHN

The next business on the Private Calendar was the bill (H. R. 8491) for the relief of Bryan Sparks and L. V. Hahn.

The title of the bill was read.

There being no objection to its present consideration, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to redeem in favor of Bryan Sparks and L. V. Hahn, assistant cashiers of the Houston National Bank, of Houston, Tex., four United States coupon registered bonds, known as the Victory 4½'s for \$100 each, being numbered A-153999, A-154000, C-314008, and C-314009, and registered in the name of Miss Sadie Scholz, with interest from May 23, 1923, the date that said bonds were lost or destroyed, at the rate of 4½ per cent per annum, without presentation of the said bonds or the coupons representing the interest thereon from said date of May 23, 1923, to the date of maturity thereof, the bonds with all coupons attached since said date having been lost or destroyed: *Provided*, That the said bonds shall not have been previously presented for payment and that no payment shall be made hereafter for any coupons which shall have been previously presented and paid: *Provided further*, That the said Bryan Sparks and L. V. Hahn shall first file in the Treasury Department a bond in the sum of double the amount of the said Victory bonds and the interest payable thereon, in such form and with such surety or sureties as may be acceptable to the Secretary of the Treasury to indemnify and save harmless the United States from any loss on account of the lost or destroyed bonds hereinabove described, or the coupons belonging thereto.

With a committee amendment as follows:

Strike out all after the enacting clause and insert the following: "That the Secretary of the Treasury be, and he is hereby, authorized and directed to redeem in favor of Bryan Sparks and L. V. Hahn, assistant cashiers of the Houston National Bank, Houston, Tex., United States registered notes Nos. A-153999, A-154000, C-314008, and C-314009, for \$100 each of the Victory Liberty loan 4½ per cent convertible gold notes of 1922-23, inscribed 'Miss Sadie Scholz,' with interest from June 15, 1922, to December 15, 1922, without presentation of the notes, said notes having been lost, stolen, or destroyed after being assigned by the payee in an unknown manner; Bryan Sparks

and L. V. Hahn being subrogated to all rights in the notes, having made full reimbursement on account of their loss, theft, or destruction: *Provided*, That the said notes shall not have been previously presented and paid: *And provided further*, That the said Bryan Sparks and L. V. Hahn shall first file in the Treasury Department of the United States a bond in the penal sum of double the amount of the principal of the said notes and the unpaid interest which had accrued thereon when the notes were called for payment in such form and with such surety or sureties as may be acceptable to the Secretary of the Treasury with condition to indemnify and save harmless the United States from any loss on account of the notes hereinbefore described."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the last vote was laid on the table.

D. EMMETT HAMILTON

The next business on the Private Calendar was the bill (H. R. 9168) for the relief of D. Emmett Hamilton.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. O'CONNELL. Mr. Speaker, reserving the right to object, I would like to ask why interest at 6 per cent is added to this claim?

Mr. ROWBOTTOM. I will say to the gentleman there will be an amendment offered to take out the interest.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I would like to have some explanation why the Government should single out one case in a million for additional compensation to be paid to a star-route carrier just because the work of the star-route carrier happens to increase during the 4-year period of contract, which is the usual rule in all contracts entered into between the department and the star-route carriers.

Mr. ROWBOTTOM. Will the gentleman yield?

Mr. STAFFORD. I yield.

Mr. ROWBOTTOM. The gentleman will notice that this work increased very greatly. The original contract called for so many trips, so many pounds per day at a certain price.

Mr. STAFFORD. I may be mistaken, and I am willing to admit my error if I am, but, from my acquaintance with the star-route service going back nearly 30 years, these contracts are predicated not upon any certain definite amount of merchandise that is to be carried. The contract provides that they are to do this service over certain prescribed routes, and the star-route carrier takes it upon himself to carry any increase or any decrease. That is the uniform rule. That is the rule, not only so far as star-route carriers are concerned, but, messenger service, the man who carries the mail from the railroad to the post office if the post office is more than 80 rods away.

Mr. GREENWOOD. Will the gentlemen yield?

Mr. STAFFORD. I yield.

Mr. GREENWOOD. I think there are some equities in this case that should be recognized. In looking over the table of allowances, in allowing extra for equipment and extra for working the roads, having figured out the different compensation that is due him on the excess of weight and the excess of mileage it seems to me the committee has gone far enough, without paying for equipment and without paying for work on the roads.

Mr. STAFFORD. That does not answer the question. In every case of star-route carrier service, where a contract is entered into it is predicated upon the idea that the carrier will carry the additional weight of mail by reason of the increasing conditions of the service.

Mr. GREENWOOD. I will admit there is something in that argument, but this is a very unusual case, increasing from 35 pounds per trip through a series of years, under certain circumstances which arose rather suddenly, and of which he nor no one else could have knowledge, to 195 pounds per day, whereby he could no longer carry the mail on horseback but had to take a vehicle. Those are unusual circumstances, and I think there are some equities here that the committee had a right to consider. I think, however, that the items that are considered have been increased too much. If you figure out the excess mileage and figure out the excess weight and pay him according to his contract, you have done all that the Government should be expected to do.

Mr. ROWBOTTOM. When he originally bid and made a contract, he figured that his equipment was sufficient, but with the excess poundage he had to buy excess equipment.

Mr. GREENWOOD. But you are paying him for the excess weight and for the excess mileage, and he is supposed to have equipment, and the extra pay which you give him during the period should pay for his equipment, just as under the original contract.

Mr. PATTERSON. Will the gentleman yield?

Mr. ROWBOTTOM. I yield.

Mr. PATTERSON. I dislike very much to rise in this connection on account of my confidence in this committee and on account of my regard for the author of the bill, but I have a case in my district that is almost identical. I took it up with the Post Office Department, and when they disallowed it, I let it drop right there.

Mr. STAFFORD. Oh, there are hundreds and thousands of such cases that might be unearthed if we recognized this kind of claim. During the 16 years that it has been my onerous duty to examine the Private Calendar, I do not know of any claim of this character having been recommended by the Committee on Claims, or having been presented to the House for consideration.

Mr. IRWIN. Will the gentleman yield?

Mr. STAFFORD. I yield.

Mr. IRWIN. I will say in justification of the action of the committee that when this man bid on this work, as stated by the gentleman from Indiana [Mr. GREENWOOD], he was bidding on local conditions, carrying about 35 pounds of mail per day. There was an oil boom sprung up which increased the work from 35 pounds to 195 pounds per day. He had also figured on carrying it with a horse. When it came to be 195 pounds a day he could not possibly carry it with a horse. He had to have roads on which to carry it, and he had to have new equipment and all of that. It was unforeseen when he bid on this contract. I think, as the gentleman from Indiana says, you will find this is an extraordinary case. At least, that is the action which the committee took on the case.

Mr. STAFFORD. In every growing community where these exceptional conditions arise there are situations like this. They can go to the department and ask to be relieved of the contract. He did not do so. We will be beset with thousands of claims if we recognize this as a valid claim.

Mr. BLANTON. Will the gentleman yield?

Mr. STAFFORD. I yield.

Mr. BLANTON. There is one equity in this bill which I think the gentleman from Wisconsin, who is fair, has overlooked, and that is the fact that after this contract was made this man was required to carry mail on this route  $3\frac{1}{2}$  miles farther than the contract contemplated.

Mr. STAFFORD. Then that violated the contract and the department would have released him, but he continued to go ahead with the contract.

Mr. BLANTON. That is what the record shows.

Mr. STAFFORD. Then he should have been released. The department could not have required him to perform anything except what the original contract stated he should perform.

Mr. GREENWOOD. I am one who believes that where an unusual situation like this arises and the Government has received the services it is up to Congress to settle the equities and settle them right. However, I do not believe we should enlarge the amount which is to be paid and I think the amount carried in the bill is too great.

Mr. STAFFORD. Mr. Speaker, because this will establish a dangerous precedent and make the Government liable to thousands in case of similar claims I am compelled to object.

META DE RENE M'LOSKEY

The next business on the Private Calendar was the bill (H. R. 9921) for the relief of Meta De Rene McLoskey.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BACHMANN. Mr. Speaker, reserving the right to object, I would like to have the gentleman from Indiana state whether there was any provision in the application this man made when he took out this insurance policy providing that a part of his pay was to be applied to the payment of the premiums.

Mr. LUDLOW. Well, it was the ordinary standard form of agreement with the Government.

Mr. BACHMANN. I know, but the premiums on this insurance were paid in two ways. The soldier could pay them or they could be deducted out of his pay. That is very vital in this case in determining whether this legislation ought to go through. If we are to assume that he was to pay these premiums then I must object to the bill, but if there was provision made that a part of his pay was to be applied to the payment of the premiums then I think the bill is all right. That is the information I would like to have from the gentleman.

Mr. LUDLOW. The gentleman is asking me something I do not know.

Mr. STRONG of Kansas. If the gentleman will permit, I am chairman of the War Claims Committee and this bill was handled by a subcommittee of which the gentleman from North Dakota [Mr. SINCLAIR] is chairman. That subcommittee held hearings and then reported this bill favorably. This young man was a picture-show operator; his mother was dependent upon him and he was sending her \$80 a month. He went into the service; he was taken sick and sent to a hospital; he disappeared from the hospital and the Government and no one else has ever been able to locate him. After the years had rolled by and they could not locate him the fact developed that the amount due him for his services as a soldier if applied to his premiums would have kept his policy in force; he had enough left to pay several months' premiums, had they been so applied. Now, the mother is dependent; the father is over 80 years of age and can not earn anything. In view of those facts the committee decided to pay the monthly rate of the policy as long as she lived.

Mr. STAFFORD. That is all they ever do, and that is the regular rule.

Mr. BACHMANN. I must say that unless it is cleared up that there was provision made for the payment of these premiums out of a part of his pay I will have to object.

Mr. STRONG of Kansas. They could have been so applied.

Mr. BACHMANN. There is nothing in this report to show that.

Mr. LUDLOW. Permit me to read a paragraph from the report.

Sufficient pay was due the soldier and unpaid when he disappeared to carry his insurance premiums until June, 1918.

Therefore, this soldier's insurance was in full force and effect on May 7, 1918, when he mysteriously disappeared and more than two months thereafter.

Mr. BACHMANN. The committee report states that but the letter from Director Hines does not state that. What I want to know is whether or not he signed a rider providing that his pay as a soldier was to be applied in payment of his premiums for this insurance. If he did so the bill ought to pass.

Mr. SCHAFER of Wisconsin. Why should the bill pass? We do not know whether this man was a deserter or not, and why should we single out this case from among many hundreds of cases where men disappeared? I have in mind a particular case where a World War soldier disappeared in the District of Columbia in 1923, leaving a wife and four minor dependent children. The wife thought he had died, but lo and behold, he was located in Reno, Nev., just about two months ago. It would not be fair to pass the pending bill not knowing whether this veteran was a deserter or not and not knowing whether he is alive at present.

Mr. BACHMANN. Mr. Speaker, for the present I must object.

Mr. LUDLOW. I wish the gentleman would withhold his objection for a minute.

Mr. BACHMANN. I will withhold it.

Mr. STRONG of Kansas. I would like to add that this man had two other policies in insurance companies, and they made full investigation and paid the claims.

Mr. BACHMANN. That is on the theory the man is dead, and I am not raising any question about that.

Mr. LUDLOW. I was just going to make that same observation.

Mr. BLANTON. Will the gentleman yield?

Mr. BACHMANN. Yes.

Mr. BLANTON. There are two legal remedies that could have been followed in this case without coming to Congress; first, to go to the Comptroller General on appeal from the decision of the director; and then, second, to the courts. These two remedies, I take it, ought to always be pursued before bringing the bill to Congress.

Mr. LUDLOW. Will the gentleman permit me to make this statement?

Mr. BACHMANN. I gladly yield to the gentleman. I wish the gentleman could clear this up.

Mr. LUDLOW. I am unable to clear up the particular point about which the gentleman has inquired, but I want to say that this is a case in which the American Legion is intensely interested. They have investigated the matter very thoroughly. They sent two men up here to be with me in the presentation of the case to the War Claims Committee, and that committee, after a fair investigation, unanimously decided that this is a good bill and one that ought to pass. This man disappeared absolutely from the face of the earth in May, 1918—

Mr. BACHMANN. If the gentleman will permit, I am not questioning whether or not he disappeared; the only thing I am interested in is the contract he had with the Government for the payment of this insurance.

Mr. LUDLOW. Let me call the gentleman's attention to the fact there was money due him when he disappeared, which could have been applied to the premium.

Mr. BACHMANN. I understand there was \$22 due him, but unless there was some agreement that his pay was to be applied to the payment of the premiums on this insurance he is not entitled to this relief.

Mr. LUDLOW. It seems to me if there ever was a just case, this old lady, the boy's mother, is entitled to this relief.

Mr. BACHMANN. I wish the gentleman would get some more facts. For the time being I object.

JACOB GUSSIN

The next business on the Private Calendar was the bill (H. R. 1712) for the relief of the heirs of Jacob Gussin.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the heirs of Jacob Gussin the sum of \$5,000. Said Jacob Gussin was struck and killed October 18, 1928, by a United States mail truck.

With the following committee amendments:

Page 1, line 6, strike out "\$5,000," and insert in lieu thereof "\$2,500." After the word "truck," in line 8, insert a colon and the following:

"Provided, That no part of the amount appropriated in this act in excess of 10 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 per cent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

CLYDE CORNISH

The next business on the Private Calendar was the bill (H. R. 2170) for the relief of Clyde Cornish.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized to pay Clyde Cornish, of Frankfort, Ky., the sum of \$5,000 because of physical injury and damages sustained by him when struck by a motor truck owned and operated by the War Department.

With the following committee amendments:

Page 1, line 5, strike out "\$5,000" and insert in lieu thereof "\$2,500." In line 7, after the word "Department," insert a colon and the following proviso:

"Provided, That no part of the amount appropriated in this act in excess of 10 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 per cent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

MAURICE J. O'LEARY

The next business on the Private Calendar was the bill (H. R. 4595) for the relief of Maurice J. O'Leary.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Maurice J. O'Leary, who was a member of Company D, Fourth Regiment United States Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 18th day of September, 1891: *Provided,* That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

DONATION OF BRONZE CANNON TO AVON, MASS.

The next business on the Private Calendar was the bill (H. R. 6264) to authorize the Secretary of War to donate a bronze cannon to the town of Avon, Mass.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BLANTON. Mr. Speaker, I reserve the right to object. The Congress passed a law authorizing the governors of the various States to distribute these cannon so they would be equitably allotted to the various States and various communities within the States. Why is it that this town in Massachusetts can not get from the Governor of Massachusetts such cannon as it wants without having a special act of Congress passed?

Mr. WIGGLESWORTH. Mr. Speaker, I may say to the gentleman that my information from the War Department is that it is necessary to have a special act in this connection.

Mr. BLANTON. Oh, all on earth this town in the gentleman's district has to do is to appeal to the governor of the gentleman's State, and the governor has the right to allocate one of them to this town.

Mr. O'CONNELL. If the gentleman will permit, we have passed several of these bills within the last few weeks.

Mr. BLANTON. What is the use of passing such bills and directing the Secretary of War to act when the governor of the State can act?

Mr. O'CONNELL. Under the information we have, you have to go to the War Department instead of the governor of the State.

Mr. COLLINS. I think the gentleman refers to the old German cannon.

Mr. BLANTON. Yes.

Mr. COLLINS. This is not that kind of cannon.

Mr. BLANTON. This is not one of the trophies of the war?

Mr. COLLINS. No.

Mr. BLANTON. Then I withdraw my objection.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of War is authorized and directed to donate, without expense to the United States, to the town of Avon, Mass., a bronze cannon No. 136 cast year 1862, marked "7 JB," now located at Watertown Arsenal, Watertown, Mass.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

MOREAU M. CASLER

The next business on the Private Calendar was the bill (H. R. 574) for the relief of Moreau M. Casler.

The Clerk read the title to the bill.

The SPEAKER pro tempore. Is there objection?

Mr. COLLINS. Reserving the right to object, I do not see that the Government is liable to this party. I would like to hear from the gentleman from Maryland.

Mr. LINTHICUM. This man worked at the navy yard, and the Government had a platform upon which he was working. He was lifting heavy parts of machinery. He asked for help but was unable to get it. In moving around and lifting this machinery he fell from the platform. He had no protection from the concrete pavement below, and suffered a fracture of the left femur. I had a picture taken of it, and it made a difference in the length of the leg of an inch and a half.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. LINTHICUM. Certainly.

Mr. SCHAFER of Wisconsin. Did not the evidence show that following the accident the Government put a rail around this platform?

Mr. LINTHICUM. It did.

Mr. COLLINS. Why was the gentleman so long in filing the claim?

Mr. LINTHICUM. It was not so very long; I had been working on the matter for some time, and it was difficult to get the claim out. This man was in bed for a year before he was able to do anything. Then the Government employed him again but reduced his wages. After they employed him for a while they dismissed him because they had no further work for him. My idea is that that is the way they let out a good many; they take them back and pay wages for a while until he forgets it, and then they reduce his wages and finally let him out saying they have no further work for him. This man is, I think, about 75 years old, although I notice the report says that he is 70. I asked for \$10,000 but the com-

mittee cut that out and recommended \$100 a month for five years.

Mr. GREENWOOD. How does that conform to the regular payment under the compensation act?

Mr. LINTHICUM. The gentleman from Maryland [Mr. CLARK] looked into that.

Mr. IRWIN. This is two-thirds of his salary—he was getting \$150. Under the regular Government working compensation act he would be entitled to two-thirds.

Mr. GREENWOOD. Is it the policy of the committee to follow the regular ratings of the law itself?

Mr. IRWIN. Absolutely.

Mr. SCHAFER of Wisconsin. This only permits payment for five years.

Mr. GREENWOOD. I was wondering whether it conformed with the regular ratings of the compensation act.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$10,000 to Moreau M. Casler, in full compensation against the Government for injuries received by him on February 25, 1915, while employed at the Naval Engineering Experimental Station at Annapolis.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the United States Employees' Compensation Commission is hereby authorized and directed to pay out of the employees' compensation fund the sum of \$100 per month to Moreau M. Casler during the rest of his natural life, not to exceed five years, the compensation to be paid beginning after the passage of this act."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

MYRTLE M. HITZING

The next business on the Private Calendar was the bill (H. R. 6416) for the relief of Myrtle M. Hitzing.

The Clerk read the title to the bill.

The SPEAKER pro tempore. Is there objection?

Mr. BACHMANN. I object.

A. C. ELMORE

The next business on the Private Calendar was the bill (H. R. 6627) for the relief of A. C. Elmore.

The Clerk read the title to the bill.

The SPEAKER pro tempore. Is there objection?

Mr. ARENTZ. Reserving the right to object, this bill is out of the ordinary form in that it appropriates the money rather than authorizes the appropriation. We are not appropriating money, only authorizing appropriations.

Mr. IRWIN. Oh, yes, I understand the Claims Committee has the right to appropriate money.

Mr. ARENTZ. Under what conditions?

Mr. IRWIN. All of our bills are appropriations of money and not authorizations.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Comptroller General of the United States is hereby authorized and directed to allow A. C. Elmore, funeral director, Kilmarnock, Va., the sum of \$25 in full and final settlement of his claim for service rendered in connection with the removal from the highway and in caring for the remains of Private Peter Kiewech, United States Marine Corps, who was killed in an automobile accident near Kilmarnock, on July 4, 1928. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$25 for payment of said claim.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

ROBERT W. VAIL

The next business on the Private Calendar was the bill (H. R. 6825) to extend the measure of relief provided in the employees' compensation act of September 7, 1916, to Robert W. Vail.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. COLLINS. Mr. Speaker, reserving the right to object, I can not see why the committee grants this claimant compen-

sation and begins it before the passage of the act under which they grant it.

Mr. LETTS. Mr. Speaker, will the gentleman yield?

Mr. COLLINS. Yes.

Mr. LETTS. The compensation law in force at the time of this accident provided for compensation amounting to one year's pay, which in this case was \$942. This man, however, was very seriously injured while in the employ of the Government, engaged in painting one of the Government's bridges. He fell from a defective scaffolding and for more than a year was totally disabled. All of the official authorities now say that he is 50 per cent permanently disabled.

Mr. SCHAFER of Wisconsin. Mr. Speaker, as a member of the Claims Committee who had to attend another committee meeting at the time this bill was considered, I shall object to the consideration of the bill unless the chairman of the committee and the author of the bill will accept an amendment striking out the following words in lines 3 and 4 on page 2:

The benefits accorded to claimant under this act shall begin as of date of April 20, 1916.

Mr. COLLINS. That is exactly what I called to the attention of the author of the bill.

Mr. LETTS. May I suggest to the gentleman that the committee made the change providing that the benefits would be available to him one year after the accident occurred, thereby making allowance for the payment that was made under the compensation law of 1908.

Mr. COLLINS. There ought not to be a retroactive feature in this bill. The amendment that I have suggested was, in line 4, page 2, substitute "September 7, 1916," for "April 20, 1916."

Mr. LETTS. I am willing to accept that amendment if the gentleman thinks he should insist.

Mr. SCHAFER of Wisconsin. That amendment will not be satisfactory to me. If the gentleman is not willing to accept the amendment which will make the benefits accrue from the date of the act I shall object, and we are taking a whole lot of time of the committee in talking about ifs and ands and buts.

Mr. LETTS. I call the gentleman's attention to the fact that from the time of this accident the War Department has recognized the serious nature of the injury back to the time when General Crowder was Judge Advocate General, and has advocated that the benefits of the act of 1916 be accorded to this man. This is not new procedure. The Sixty-ninth Congress adopted exactly this procedure in a bill introduced by the gentleman from Virginia [Mr. MOORE] to extend the benefits of the act of 1916 to Daniel S. Glover. The War Department has recognized that this man, who was very seriously hurt, can not be compensated for his injuries in any other way, and if this bill is passed the accrued benefits will amount to only about \$3,100, which will represent about \$1 per working day, and the gentleman knows that for an injury as serious as this man suffered that is very little compensation.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I realize that the injury is serious, and I realize that every claim the Committee on Claims reports out has almost as much equity in it. Why should we provide for retroactive payments in this case, and consistently, day after day, report out and pass bills without retroactive payments in other similar cases?

Mr. LETTS. At least in two administrations the Ordnance Department and the Secretary of War have recommended that this man be taken care of.

Mr. SCHAFER of Wisconsin. Granting that they did that, I can not reach the decision that three wrongs will make a right. I regret, in view of this man's serious disability, that I shall have to object to this bill as a matter of principle and policy as a member of the Committee on Claims, unless the gentleman accepts the amendment which will provide for no retroactive payment.

Mr. LETTS. Then, I ask that the gentleman's amendment be accepted.

Mr. STAFFORD. Also, we do not recognize any retroactive features in connection with the relief of private pensioners; otherwise the Government would be swamped with claims.

Mr. IRWIN. We will accept the amendment.

Mr. BACHMANN. Mr. Speaker, I demand the regular order.

The SPEAKER pro tempore. Is there objection?

Mr. COLLINS. Mr. Speaker, I reserve the right to object.

The SPEAKER pro tempore. The regular order is demanded.

Mr. COLLINS. I object.

Mr. STAFFORD. Will the gentleman who demanded the regular order withdraw his demand?

Mr. BACHMANN. Mr. Speaker, we have to get along with this calendar, and I am willing to make the motion to return

to this bill later on when these gentlemen get the thing straightened out.

The SPEAKER pro tempore. Objection is heard and the Clerk will call the next bill.

W. R. McLEOD

The next business on the Private Calendar was the bill (H. R. 7207) for the relief of W. R. McLeod.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. BACHMANN. I reserve the right to object.

Mr. PATTERSON. Mr. Speaker, it seems to me that we are going pretty far afield in passing some of these post office claims bills.

Mr. BACHMANN. I am disposed to object to this bill, but I want to accord to the Member who introduced it the courtesy of an opportunity to explain.

Mr. O'CONNELL. We have ample precedent for the passage of this sort of bills. For years back these men have been compensated for this sort of loss.

Mr. BACHMANN. I am opposed to this bill, because I think the loss was due to negligence. If the postmaster had properly secured the money under the postal regulations, as he was required to do, the money would not have been lost. This is different from the ordinary case.

Mr. DRANE. Mr. Speaker, in the absence of my colleague from Florida [Mrs. OWEN] who is unavoidably absent, I ask unanimous consent that the bill be informally passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

Mr. BACHMANN. I object.

The SPEAKER pro tempore. Objection is heard.

JOHN S. CONKRIGHT

The next business on the Private Calendar was the bill (H. R. 687) for the relief of John S. Conkright.

The title of the bill was read.

There being no objection to its consideration, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers John S. Conkright, late of Company H, One hundred and tenth Regiment Ohio Volunteer Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private in said company and regiment on the 25th day of June, 1865: *Provided*, That no pay, allowances, or benefits shall be held as accrued prior to the passage of this act.

With committee amendments as follows:

Page 1, line 9, after the word "the" strike out the words "25th day of June, 1865" and insert "22d day of October, 1864."

On page 1, line 10, after the word "*Provided*" strike out "That no pay, allowances, or benefits shall be held as accrued prior to the passage of this act" and insert in lieu thereof the words "That no back pay, bounty, pension, or allowance shall be held to have accrued prior to the passage of this act."

The SPEAKER pro tempore. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

The bill, as amended, was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the last vote was laid on the table.

ROBERT W. VAIL

Mr. BACHMANN. Mr. Speaker, I ask unanimous consent that we may return to Private Calendar No. 568. I think we can save time by considering it now.

The SPEAKER. The gentleman from West Virginia asks unanimous consent to return to the bill H. R. 6825, Private Calendar No. 568. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

H. R. 6825

A bill to extend the measure of relief provided in the employees' compensation act of September 7, 1916, to Robert W. Vail

*Be it enacted, etc.,* That the United States Employees' Compensation Commission be, and it is hereby, authorized and directed to extend to Robert W. Vail, on account of the results of an injury sustained on April 19, 1915, while in the performance of duty as an employee of the United States on the Government bridge between Davenport, Iowa, and the Rock Island Arsenal, the measure of relief provided in an act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916.

With a committee amendment as follows:

Page 2, line 3, insert "The benefits accorded to claimant under this act shall begin as of date of April 20, 1916."

Mr. SCHAFER of Wisconsin. Mr. Speaker, I offer an amendment to the committee amendment.

The SPEAKER pro tempore. The Clerk will report it.

The Clerk read as follows:

Amendment offered by Mr. SCHAFER of Wisconsin, to the committee amendment: Page 2, line 4, strike out "April 20, 1916" and insert in lieu thereof "the passage of this act."

The Schafer amendment to the committee amendment was agreed to.

The SPEAKER pro tempore. The question is on agreeing to the committee amendment as amended.

The committee amendment as amended was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the last vote was laid on the table.

FRANCIS STONE

The next business on the Private Calendar was the bill (H. R. 1452) for the relief of Francis Stone.

The title of the bill was read.

There being no objection to its consideration, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers and their legal widows, Francis Stone, who was a member of the Fourteenth Battery, Volunteer Light Artillery, in the Civil War, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization at the expiration of his period of enlistment.

With committee amendments as follows:

Page 1, line 6, strike out the word "Volunteer" and insert the word "Indiana." On line 9, strike out the words "at the expiration of the period of enlistment" and insert "on the 7th day of April, 1865."

Page 2, line 1, insert the words: "*Provided*, That no back pay, bounty, pension, or allowance shall be held to have accrued prior to the passage of this act."

The SPEAKER pro tempore. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the last vote was laid on the table.

Amend the title so as to read: "A bill for the relief of Melissa Stone, widow of Francis Stone."

MALVEN A. WILLIAMS

The next business on the Private Calendar was the bill (H. R. 2120) for the relief of Malven A. Williams.

The title of the bill was read.

There being no objection to its consideration, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Malven A. Williams, who was a member of Troop E, Second Regiment United States Cavalry, and later of the band of said Second Regiment United States Cavalry, shall hereafter be held and considered to have been discharged honorably from the military service of the United States as a private of the latter organization on the 16th day of May, 1900: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the last vote was laid on the table.

HARVEY O. WILLIS

The next business on the Private Calendar was the bill (H. R. 2863) for the relief of Harvey O. Willis.

The title of the bill was read.

There being no objection to its consideration, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That in the administration of laws conferring rights, privileges, and benefits upon honorably discharged soldiers Harvey O. Willis, who was a member of Company F, Eighth Regiment United States Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private of that organization on the 19th day of July, 1898: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the last vote was laid on the table.

WILLIAM J. FROST

The next business on the Private Calendar was the bill (H. R. 3122) for the relief of William J. Frost.

The title of the bill was read.

There being no objection to its consideration, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers William J. Frost, who was a member of Troop K, First Regiment United States Cavalry, shall hereafter be held and considered to have been discharged honorably from the military service of the United States as a private of that organization on the 7th day of November, 1900: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the last vote was laid on the table.

WILLIAM L. WILES

The next business on the Private Calendar was the bill (H. R. 4269) for the relief of William L. Wiles.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers William L. Wiles, late a private in Company K, Second Regiment Ohio Volunteer Infantry, shall hereafter be held and considered to have been honorably discharged from the military service as a private of said company and regiment: *Provided, however*, That no rights, privileges, and benefits shall accrue prior to approval of this act.

With the following committee amendment:

Page 1, line 8, after the word "of" strike out the balance of the line and all of line 9 and in line 10 the words "shall accrue prior to approval of this act" and insert "that organization on the 10th of August, 1862: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

NED ANDERSON

The next business on the Private Calendar was the bill (H. R. 4946) for the relief of Ned Anderson.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Ned Anderson, who was a member of Company K, Twenty-fifth Regiment United States Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private of that organization on the 6th day of April, 1902: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

F. G. BAUM

The next business on the Private Calendar was the bill (H. R. 1717) for the relief of F. G. Baum.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to F. G. Baum, of San Francisco, Calif., the following sums as refund for moneys deposited for the Department of Agriculture, namely: \$281.25 deposited August 15, 1916; \$79.37 deposited January 2, 1917, and the following sum, as refund for money deposited for the Interior Department, August 15, 1916, \$93.75, when he made application for water-power permit within the Apache National Forest and the Fort Apache Indian Reservation.

With the following committee amendment:

Page 1, line 9, after the word "sum," insert the words "out of 'Indian moneys, proceeds of labor, Fort Apache Indians.'"

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

PAUL A. HODAPP

The next business on the Private Calendar was the bill (H. R. 2464) for the relief of Paul A. Hodapp.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$664.75, to Paul A. Hodapp, captain, Quartermaster Corps, United States Army, said sum representing an amount deducted from his pay and covered into the United States Treasury, on account of certain disallowances made by the General Accounting Office in his accounts as finance officer, United States Army.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

E. J. KERLEE

The next business on the Private Calendar was the bill (H. R. 4564) for the relief of E. J. Kerlee.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the United States Employees' Compensation Commission be, and it is hereby, authorized and directed to waive the limitation for filing claim for compensation in the case of E. J. Kerlee, dependent father of Arthur LeRoy Kerlee, late a bacteriologist in the Public Health Service.

With the following committee amendments:

Page 1, line 6, after the word "Kerlee," insert the words "who is declared to be a totally."

Page 1, line 7, after the word "Kerlee," insert the word "deceased."

Page 1, line 8, after the word "service," insert the words "and that the United States Employees' Compensation Commission be directed to pay the said E. J. Kerlee under the act regulating its administrative functions; such payments to begin as of February 14, 1928, being the date of the death of the deceased."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

THOMAS F. NICHOLAS

The next business on the Private Calendar was the bill (H. R. 2173) for the relief of Thomas F. Nicholas.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That in the administration of the pension and homestead laws and the laws governing the National Home for Disabled Volunteer Soldiers, or any branch thereof, Thomas F. Nicholas shall hereafter be held and considered to have served 90 days' actual military service and been honorably discharged from the military service of the United States in the Spanish-American War as a private of Company E, Eighth Regiment New York Volunteer Infantry, on the 3d day of November, 1898, and thereafter from Troop I, Third United States Cavalry, honorably discharged on May 1, 1900: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, Thomas F. Nicholas, who was a member of Troop I, Third Regiment United States Cavalry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 1st day of May, 1900: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

JASPER JOHNSON

The next business on the Private Calendar was the bill (H. R. 2831) for the relief of Jasper Johnson.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Jasper Johnson, who was a member of Company G, Twenty-fourth Regiment United States Infantry, shall hereafter be held and considered to have become a member of Company G, Twenty-fourth Regiment United States Infantry on the 23d day of January, 1903, and shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private of that organization on the 23d day of January, 1903.

With the following committee amendments:

Page 1, line 6, after the word "infantry" strike out the following "shall hereafter be held and considered to have become a member

of Company G, 24th Regiment, United States Infantry on the 23d day of January, 1903, and";

Page 2, line 2, insert the following: "Provided, that no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this Act."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

WALTER P. HAGAN

The next business on the Private Calendar was the bill (H. R. 3231) for the relief of Walter P. Hagan.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Walter P. Hagan, who was a member of Company L, Seventeenth Regiment United States Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 9th day of March, 1904: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

#### FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Craven, its principal clerk, announced that the Senate agrees to the two reports of the committees of conference (submitted to the Senate on June 9, 1930, and printed as documents Nos. 161 and 162) on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2667) entitled "An act to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, to protect American labor, and for other purposes."

The message also announced that the Senate had passed a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. Con. Res. 31. Concurrent resolution providing for the printing of the tariff bill as a Senate document.

The message also announced that the Senate had passed without amendment bills of the House of the following titles: H. R. 11679. An act to provide for acquiring and disposition of certain properties for use or formerly used by the Light-house Service; and

H. R. 12348. An act to provide for the partial payment of the expenses of foreign delegates to the eleventh annual convention of the Federation Interalliee Des Anciens Combattants, to be held in the District of Columbia in September, 1930.

The message also announced that the Senate agrees to the amendment of the House to the joint resolution (S. J. Res. 127) entitled "Joint resolution authorizing the erection on the public grounds in the City of Washington, D. C., of a memorial to William Jennings Bryan."

The message also announced that the Senate agrees with an amendment to the amendment of the House to the bill (S. 1372) entitled "An act authorizing an appropriation for payment of claims of the Sisseton and Wahpeton Bands of Sioux Indians."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 4140) entitled "An act providing for the sale of the remainder of the coal and asphalt deposits in the segregated mineral land in the Choctaw and Chickasaw Nations, Oklahoma, and for other purposes."

MARY C. BOLLING

The next business on the Private Calendar was the bill (H. R. 11268) for the relief of Mary C. Bolling.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers John Bolling, who was a member of Troop B, Fourth Regiment Kentucky Volunteer Cavalry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private of that organization on the 13th day of January, 1864: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

With the following committee amendment:

In line 9, strike out "13th day of January" and insert "12th day of February."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

JOHN L. FRIEL

The next business on the Private Calendar was the bill (H. R. 1761) for the relief of John L. Friel.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BLANTON. Mr. Speaker, reserving the right to object, the War Department now has authority to settle this claim if it deemed it lawful. I notice that the Secretary of War, on January 30, 1930, made this recommendation to Congress:

It is believed that Mr. Friel in extending his garage beyond the river bank assumed all attendant risk of damage and loss, and that the United States is not responsible for the loss sustained. The claim, therefore, is not considered a proper charge against the United States.

Sincerely yours,

PATRICK J. HURLEY,  
Secretary of War.

That letter was addressed to the chairman of this committee. If the distinguished friend of the postal clerks can explain away that recommendation by the War Department, I will not object.

Mr. KELLY. I would like to explain away that objection, and I am sure I can satisfy my friend from Texas. Of course, the War Department did not make any special investigation of this matter. If we depended for the payment of just claims upon the favorable action of the departments, very few of such claims would ever be acted upon by Congress. The fact of the matter is this: John Friel, a reputable business man in Natrona, Pa., bought a property in 1922. It was improved by a brick building and had a frame building at the rear.

Mr. BLANTON. Was the garage built, as the War Department states, beyond the river bank?

Mr. KELLY. It was not at any point whatever. It was built only to the recognized building line along the whole street, which was improved by other buildings to the same line. There was a roadway between them and the river bank.

Mr. BLANTON. Has the gentleman made a personal investigation of that?

Mr. KELLY. I made a personal investigation and inspection and brought adjacent property owners here to Washington to testify to the facts.

Mr. BLANTON. Due to the splendid service that the gentleman has given the postal clerks and employees, back to a time to which the memory of man runneth not to the contrary, I withdraw my objection.

Mr. KELLY. I express my grateful appreciation for the kindly way in which the gentleman joins in performing this act of justice.

The SPEAKER pro tempore. Is there objection?

Mr. BACHMANN. Will the gentleman from Pennsylvania agree to the usual proviso?

Mr. KELLY. Yes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to John L. Friel, out of any money in the Treasury not otherwise appropriated, the sum of \$4,750 on account of damages sustained to his property through lack of protection to his property when Lock No. 4, Allegheny River, was constructed.

Mr. BACHMANN. Mr. Speaker, I offer the usual proviso.

The SPEAKER pro tempore. The gentleman from West Virginia offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BACHMANN: At the end of the bill add the following proviso:

"Provided, That no part of the amount appropriated in this act in excess of 10 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 per cent thereof on account of services rendered in connection

with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

#### PASQUALE IANNAONE

The next business on the Private Calendar was the bill (H. R. 3945) for the relief of Pasquale Iannacone.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. COLLINS. Mr. Speaker, reserving the right to object, and I am not going to object, the drivers of Army trucks and Marine Corps trucks are killing and injuring too many people. There are at least 25 bills on this calendar to pay for injuries caused by the carelessness or negligence of drivers of Army and Marine Corps trucks. They kill some boy or girl or somebody on the sidewalk. All kinds of cases of negligence. It is high time that the War and Navy Departments punish somebody for criminal carelessness. If they do not do it I think the Congress ought to take cognizance of the situation and provide the proper punishment.

Mr. BOX. Will the gentleman yield?

Mr. COLLINS. Yes.

Mr. BOX. I was a member of the subcommittee which considered and reported this bill. I agree fully, and I believe the whole committee agrees fully, with the remarks made by the gentleman from Mississippi. There is much evidence of recklessness among the drivers of these Army trucks and other vehicles, including postal trucks, which show a manifest disregard of the safety of people and property. However, your committee has no power to deal with it, except that in many cases the Government must, in good conscience, pay heavy damage claims resulting from these wrongs.

Mr. SCHAFER of Wisconsin. If the gentleman will permit, the evidence before the Committee on Claims indicates that there is too much drunkenness amongst the drivers of Government vehicles.

Mr. BOX. We found that in this very case.

Mr. SCHAFER of Wisconsin. And there are many such cases before the committee.

Mr. COLLINS. Furthermore, I find in the reading of these bills that the drivers of these trucks always claim to be acting under orders, and they think they are not liable to arrest, and the public believes it, too. They monopolize the entire road. The matter should be called very forcefully to the attention of these departments. It is reaching the point where some of these men should serve terms in jail or the penitentiary. [Applause.]

Mr. GREENWOOD. Will the gentleman yield?

Mr. COLLINS. Yes.

Mr. GREENWOOD. In that connection I can offer a little personal evidence. In driving to Indiana I passed a whole train of these trucks. They took more than half the road; they kept so close together that nobody behind them could squeeze in to pass the traffic. They kept a solid cavalcade, and when I did attempt to pass, in order to avoid hitting the abutment of a bridge, I was compelled to run into the fender of one of the trucks. I can give that personal testimony as to my experience when I attempted to pass a string of these Army trucks near Parkersburg.

Mr. IRWIN. If the gentleman will permit, I am very glad to hear the gentleman from Mississippi make this statement. The Claims Committee is working every day on those very claims, and it seems to me we are getting numbers of them where there is absolute recklessness on the part of the drivers of the different department trucks. Whether they feel they have some right that no one else has, or not, I do not know.

Mr. COLLINS. They think they are immune from arrest.

Mr. IRWIN. Yes; and I may say further that in all these cases—

Mr. COLLINS. And some one has caused them to think that way.

Mr. IRWIN. In all of these cases where there is an investigation by an Army commission, as a rule, a great many of the facts are not brought out and in many instances there is a considerable amount of whitewashing.

Mr. COLLINS. There was a secretary to one of the Members of Congress whose car was damaged here in front of the Capitol, and the driver of the Army truck that caused the damage said he had to go on, that he was under orders, and he went on.

Mr. BLANTON. Mr. Speaker, reserving the right to object, before this bill passes the objection stage there ought to be an understanding from the chairman of the committee that after the amount in the bill is reduced by the committee amendment from \$10,000 to \$4,000, the chairman of the committee and the other conferees are not going to permit the other body in the closing hours of Congress to put it right back to the amount it was before the committee reduced it.

Mr. IRWIN. I want to assure the gentleman from Texas that if I am on that conference, if there should be any change made at the other side of the Capitol, for one I will object strenuously to it.

Mr. BLANTON. And the gentleman will not permit it, because otherwise the report would be brought in here and would have to be voted up or down.

Mr. IRWIN. I will not.

Mr. BLANTON. With that understanding, I shall not object to the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. Without objection, the Clerk will report a similar Senate bill, S. 1447.

Mr. SCHAFER of Wisconsin. Reserving the right to object, does the Senate bill, word for word, contain the limitation with respect to attorneys' fees?

The SPEAKER pro tempore. Yes; and the amount in the bill is the same.

Mr. BOX. If the Chair is quite sure of that, it will be satisfactory. The bill is in unusual form, because part of the payment is made to the hospital and there are some special stipulations with respect to attorneys' fees. Are the bills identical?

The SPEAKER pro tempore. The Chair is so informed. Is there objection?

There was no objection.

The Clerk read the Senate bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Pasquale Iannacone, out of any money in the Treasury not otherwise appropriated, the sum of \$4,000 in full settlement of all claims against the Government resulting from personal injuries received by him, without negligence on his part, as a result of being struck by a Government truck No. 637, United States Marine Service, League Island Navy Yard, Philadelphia, Pa.

Sec. 2. That the Secretary of the Treasury be, and is hereby, authorized and directed to pay to St. Agnes Hospital of Philadelphia the sum of \$1,000 in part for its own use, and in part to be paid by St. Agnes Hospital to the surgeons, physicians, and nurses who attended the said Pasquale Iannacone on account of said injuries, as shall be found by St. Agnes Hospital to be owing to them for said services. Such payment to be in full settlement to said St. Agnes Hospital, and said surgeons, physicians, and nurses for said services rendered to said Pasquale Iannacone, on account of said injuries: *Provided*, That no part of the amount appropriated in this act in excess of 10 per cent of the sum of \$4,000 appropriated in section 1 of this act shall be paid to, delivered to, or received by agents, attorney or attorneys on account of services rendered in connection with the claim. No attorneys' fees shall be paid on the \$1,000 appropriated in this section for St. Agnes Hospital, and attending surgeons, physicians, and nurses. It shall be unlawful for any agent or agents, attorney or attorneys to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 per cent of the sum of \$4,000 appropriated in section 1 hereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

A similar House bill was laid on the table.

#### CONFERENCE REPORTS—THE TARIFF BILL

Mr. HAWLEY. Mr. Speaker, I present, for printing under the rule, two conference reports on the bill (H. R. 2667) to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, to protect American labor, and for other purposes.

The conference reports and statements are as follows:

Mr. GARNER. Mr. Speaker, may I have the indulgence of the Chair and the House a moment in order to ask the gentleman a question? I understand the gentleman is going to call up this matter the first thing to-morrow after the reading of the Journal.

Mr. HAWLEY. That is the understanding.

Mr. GARNER. Does the gentleman expect to call up Report No. 1 first?

Mr. HAWLEY. The procedure will be decided on a little later.

Mr. GARNER. The gentleman has not decided on the amount of debate or anything of that kind?

Mr. HAWLEY. No. I had an informal conference with the gentleman from Texas, and at that time I think he suggested 30 minutes on the side.

Mr. GARNER. That was on the first report. The House has already considered Report No. 1 and has voted on that report. We ought to have a little more time, however, on Report No. 2, which the House has never considered. I hope the gentleman will take that into consideration in making out his program for to-morrow.

Mr. HAWLEY. Would it be satisfactory to have all the debate at one time?

Mr. GARNER. I know of no objection to that. Does the gentleman expect to complete the consideration of the report to-morrow?

Mr. HAWLEY. We expect to complete the work to-morrow; yes.

#### TO QUITCLAIM CERTAIN LANDS IN SANTA FE COUNTY, N. MEX.

The next business on the Private Calendar was the bill (S. 1469) to quitclaim certain lands in Santa Fe County, N. Mex.

The Clerk read the title to the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That all right, title, and/or interest of the United States in and to the following-described piece or parcel of land, lying and being situated in the city and county of Santa Fe, State of New Mexico, bounded and described as follows: On the north by a sandy "Arroyo," on the south by an old street and the public grounds known as the Muralla, on the east by lands of said corporations of the Independent Order of Odd Fellows and Ancient Free and Accepted Masons, aforesaid, which lands are at this time occupied as a cemetery by said orders, and on the west by lands of Francisco Baca Ortiz, said piece or parcel of land being in dimensions as follows: Measuring from the southwest corner of the said cemetery grounds westwardly on the north side of the old street aforesaid 240 feet to the lands of Francisco Baca Ortiz; thence northwardly at right angles with the last-mentioned line 286 feet unto the said sandy "Arroyo"; thence eastwardly 340 feet to the northwest corner of said cemetery grounds; and thence southwardly along the western wall of said cemetery 286 feet to the place of beginning; the same being a part of the piece or parcel of land sold and conveyed by Jose de Jesus Ribera to Gasper Ortiz by deed bearing date of February 2, 1852, and by said Gasper Ortiz and Magdalena Lucero, his wife, by deed bearing date the 25th day of April, 1853, conveyed to said Independent Order of Odd Fellows and Ancient Free and Accepted Masons in fee, which said last-mentioned deed is recorded in the office of the clerk of probate court within and for the county of Santa Fe in book for the registry of deeds, pages 178 and 179, to which deed reference is hereby had for a more particular description of the said piece or parcel of land of which the premises herein conveyed are a part, be, and the same is hereby, quitclaimed, released, and relinquished to the Woman's Board of Home Missions of the Presbyterian Church in the United States of America, a New York corporation.

SEC. 2. Nothing in this act shall in any manner abridge, divest, impair, injure, or prejudice any valid right, title, or interest of any person or persons in or to any portion or part of the lands mentioned in the first section hereof, the true intent of this act being to relinquish, abandon, grant, give, and concede any and all right, interest, and/or estate, in law or equity, which the United States may have or be entitled to in said lands.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

#### NATIONAL WAR LABOR BOARD

The next business on the Private Calendar was the bill (H. R. 7874) to provide for the carrying out of the award of the National War Labor Board of April 11, 1919, and the decision of the Secretary of War of date November 30, 1920, in favor of certain employees of the Minneapolis Steel & Machinery Co., Minneapolis, Minn.; of the St. Paul Foundry Co., St. Paul, Minn.; of the American Hoist & Derrick Co., St. Paul, Minn.; and of the Twin City Forge & Foundry Co., Stillwater, Minn.

The Clerk read the title to the bill.

The SPEAKER pro tempore. Is there objection?

Mr. BACHMANN. Reserving the right to object, I want to call the attention of the House that this bill provides for an appropriation of more than \$1,200,000. I also call attention to the fact that the Secretary of War says that if this bill is enacted into law the agency charged with carrying out the provisions of the bill would be faced with the following difficulties:

If bill H. R. 7874 were enacted into law, the agency charged with carrying out its provisions would be faced with the following tasks:

(a) Classification of each employee in accordance with the terms of the award, based not upon his present designation or occupation but upon the character of work performed more than 10 years ago.

(b) Audit of the time and pay-roll records of the employing companies for the period covered by the award in order to determine the time worked by each employee, the amount paid him therefor, and the additional compensation, if any, due him under the terms of the award.

(c) Determination of all of the work performed in the plants during the period covered by the award which pertained to contracts for the War Department; manifestly the Secretary of War would not, without specific legislation to that effect, be authorized to pay claims on account of work performed on contracts pertaining to the Navy, the Shipping Board, etc.

(d) It is probable also that many persons coming within the purview of the bill who in the meantime have left the employ of the companies named could not now be located.

Under these conditions the difficulty—I might say practical impossibility—of fairly and equitably carrying out the provisions of the bill is apparent.

Mr. BLANTON. Will the gentleman yield?

Mr. BACHMANN. Yes.

Mr. BLANTON. The Secretary of War goes farther and says that there is no obligation on the part of the United States Government to pay these claims and recommends that the bill be not enacted into law.

Mr. BACHMANN. But Secretary Baker, under date of November 30, 1920, approved of it.

Mr. BLANTON. I have not agreed with Secretary Baker on a number of his recommendations. This bill involves \$1,200,000 of the people's money. I object to the bill.

Mr. ANDRESEN. Will the gentleman reserve his objection?

Mr. BLANTON. Yes; certainly; so the gentleman may make his statement.

The SPEAKER pro tempore. Objection is heard.

Mr. ANDRESEN. Mr. Speaker, I make the point of no quorum is present.

Mr. KNUTSON. Oh, do not do that.

Mr. ANDRESEN. Will the gentleman reserve his objection that I may address the House for 10 minutes on this bill?

Mr. BLANTON. Yes; gladly; I will reserve the objection.

Mr. ANDRESEN. Mr. Speaker, I withdraw the point of no quorum and I ask unanimous consent to address the House for 10 minutes.

The SPEAKER pro tempore (Mr. DOWELL). The gentleman from Minnesota asks unanimous consent to address the House for 10 minutes. Is there objection?

There was no objection.

Mr. BLANTON. I reserve the objection, Mr. Speaker, but I intend to object in the end, as this bill involves \$1,200,000.

Mr. ANDRESEN. I have understood that the gentleman from Texas was a friend of labor. Here he has an opportunity to express his friendship for labor by helping out between three and four thousand men employed during the war and who are now seeking recognition from the Federal Government.

Mr. BLANTON. Will the gentleman yield?

Mr. ANDRESEN. I can not yield, as my time is limited. During the war these men in Minnesota were engaged in manufacturing munitions. There were strikes throughout the country, and one at the Bethlehem Steel Works. The men ended the strike, and the Government recognized the Bethlehem Steel claims and allowed the men extra compensation.

Mr. KNUTSON. These people in Minnesota at one time threatened to strike but remained on the promise of the officials to adjust the wages on account of the increased cost of living.

Mr. ANDRESEN. There was no strike, but the War Department officials came there and said, "If you men keep on the job and do not quit work we will see that you are paid at the same rate that they are receiving in similar work in other plants." The laboring men in the various Minnesota factories relied upon the promises made by the Government's officials and continued their work of manufacturing munitions. They are entitled to have these promises carried out by Congress, and I would be negligent in my duty if I did not continue my fight to secure justice for them.

That is the whole essence of the bill. The War Labor Board gave recognition to the case and decided in favor of the men. In the hearings as originally held on the bill Mr. Chief Justice Taft appeared before the Claims Committee and said that the men should have consideration at the hands of the Congress. Secretary of War Baker, who was then in office during the time that the war was being conducted, and who analyzed the case thoroughly, stated that the men were entitled to consideration

and approved an award and sent men out to pay them, and then we had a change in the administration in our National Government, and the payments were discontinued.

Mr. O'CONNELL. Was that information given in the hearings?

Mr. ANDRESEN. It was given in the hearings.

Mr. O'CONNELL. Is the information in the report?

Mr. ANDRESEN. In order that the Members of the House may have a clear picture as to the merits of this bill, I desire to briefly outline the history of the claims.

Between three and four thousand men were engaged in the manufacture of munitions in the following Minnesota factories: The Twin City Forge & Foundry Co., at Stillwater, Minn.; the St. Paul Foundry Co., and the American Hoist & Derrick Co., of St. Paul, Minn., and the Minneapolis Steel & Machinery Co., of Minneapolis, Minn.

In the month of June, 1918, the employees of the Minneapolis Steel & Machinery Co., through their labor unions, made a demand for higher wages in conformity with wages received for similar work in other factories. As a result of this demand, the Government sent its representative, one Mr. Vernon Rose, to Minnesota to investigate labor conditions in the plants heretofore mentioned.

During the course of his investigation, Mr. Rose held numerous meetings of the employees at the various factories, together with another Government representative by the name of Mr. George Creel. Both Mr. Creel and Mr. Rose, in public statements made to the employees, stated:

If you will stay on the job and not make any trouble or do anything to delay or hinder the Government in its job of getting out munitions, then each and every employee will be compensated by receiving the same wage that any employee of any munitions plant in the United States receives.

These representatives of the Government also told the employees that they were all then working in the second-line trenches, and that they were just as essential in securing victory as the soldiers in the field.

These laboring men had every reason to rely upon the promises of the Government's representatives, and stayed on the job until they were discharged by the order of the War Department in January, 1920.

The National War Labor Board took jurisdiction of the complaints of the employees, and after the holding of extensive hearings, the board came to the conclusion that the employees were greatly underpaid and established the following rates of compensation as a minimum scale:

	Cents
Machinists, first-class	72
Machinists, second-class	65
Machinists, helpers	49
Specialists	56
Handy men	56
Toolmakers	74
Patternmakers	77½
Common laborers	42
Layer outs	76½
Storeroom clerks and timekeepers	52
Molders	72

The decision of the War Labor Board was made on April 11, 1919, and during the month of May Administrator A. Winter was sent to Minnesota to carry out and administer the award. The companies refused to cooperate with the administrator and nothing was done toward making the awards effective until in 1920.

On November 24, 1920, the Comptroller of the Treasury approved the payment of the claims, and thereupon, the Secretary of War, Mr. Newton D. Baker, affirmed the award and ordered payment of the claims under the Dent Act.

Auditors were then sent to the Twin Cities by Ordnance Department to audit the claims for payment, and some considerable number of claims were audited but none paid. The claims are still unpaid, the pending bill being for the purpose of carrying out the award of the National War Labor Board and the award of Secretary of War stated above.

In all the various hearings no representative of the Government to date questioned the moral obligation of the Government to pay these men, this being based upon the promises made to the men by the representatives of the National War Labor Board, the award of that board itself, the indorsement of the award by the Secretary of War, and the Board of Contract Adjustment that heard the evidence and passed upon the rights of the claimants, and found the facts and stated them in their findings.

A similar bill was passed from the Private Calendar a few years ago in behalf of the employees of the Bethlehem Steel Co. While the amount involved in that bill was much larger than the Minnesota bill, the facts are similar, with the exception that the employees of the Bethlehem Steel Co. went on a strike

to secure higher wages, while the employees of the Minnesota companies kept on working and did not strike.

The National War Labor Board took jurisdiction of the Bethlehem claim on April 6, 1918, the same day they took jurisdiction over the Minnesota claims.

Mr. Chief Justice Taft, the chairman of the National War Labor Board, appeared before the Committee on Claims and stated that it was his opinion that the award should be carried out in favor of the men by Congress.

The gentleman from West Virginia [Mr. BACHMANN] raises the question that there is a difference between the two bills; that is, between the Bethlehem Steel bill and the Minnesota bill.

In order that this question may be clarified, I quote from the testimony given before the Claims Committee of the House on April 26, 1922, when the Bethlehem bill was up for consideration:

(Mr. Lauck, secretary National War Labor Board)

Mr. KELLER. What is the difference between this particular claim and the claim of the American Hoist Derrick Co., of St. Paul, and the claim of the Minneapolis Steel Machinery Co.?

Mr. LAUCK. There is a moral obligation there also. That claim was not presented until after the provisions of the Dent law had expired by limitation, when Secretary Baker, recognizing the moral obligation, approved the claim.

Mr. KELLER. The principle of the whole thing is the same. The War Labor Board made an award and the men were led to believe that they would get the increase because the War Labor Board had made the award. Then afterwards the men did not receive the pay, just as happened in this particular case. The principle in the two cases is the same.

Mr. LAUCK. The moral obligation is the same.

Mr. KELLER. Morally the cases are parallel.

Mr. LAUCK. Yes, sir; morally they are parallel. The whole thing comes down to the point that there is no doubt about the moral obligation of the Government. In honor and good faith the Government is obligated, and everybody wants to see it paid. The War Labor Board and the War Department recognize it as a moral obligation, and it is a question of whether you can legalize it in some way.

Mr. LITTLE. Do you know what the legal distinction is between this claim (meaning the Bethlehem claim) and those that were allowed under the Dent law (the claims under consideration here)?

Mr. LAUCK. No, sir. I think that the arrangement was perfectly legal, and I never understood General Kreger's point.

Mr. KIRKPATRICK. I do not know whether you feel like stating it at all, but if you think it is proper I would like to have you say what you know about Judge Taft's opinion as to the obligation of the Government in this case.

Mr. WALSH. I would not like to quote him. I think, of course, the Government has a great moral obligation, and I am surprised to hear that it is not a legal obligation. I have not gone into it. We were in entire harmony on this all the way through and I think he ought to be asked about it.

Mr. KIRKPATRICK. But you say there is a moral obligation arising out of these facts?

Mr. WALSH. I say I feel these men are entitled to this money and ought to have it.

Mr. LITTLE. You say you are surprised to hear that it is not a legal obligation, too?

Mr. WALSH. Yes. I have not analyzed it, and if I did I might want to disagree with that gentleman.

Mr. KELLER. I want to say, in regard to the St. Paul and Minneapolis case, that it was presented to the War Department and they finally agreed it was all right and ought to be paid; the then Secretary of War agreed it should be paid, but when the new administration came it they refused; the new Secretary of War refused to concur in the opinion of the previous Secretary of War.

The foregoing extracts taken from the hearings on the Bethlehem bill prove beyond any doubt that the Government is morally bound to pay the award of the National War Labor Board, and that the moral obligation resting upon the Government is at least equally as strong in the matter of the pending claims as in the Bethlehem claims.

There are approximately 4,000 laboring men involved in this claim. The authorization of \$1,200,000 will be sufficient to carry out the awards, and while this amount might seem large, the House must not lose sight of the fact that it is an aggregate sum representing nearly 4,000 claims. Each claimant is a laboring man, and certainly Congress can perform no better service than carrying out the pledges of the Government in dealing with these laboring men, when you consider that the Secretary of War, Mr. Baker, and Mr. Chief Justice Taft and his board approved the claim.

Justice should be done at once for the laboring men at Stillwater, St. Paul, and Minneapolis, and I propose to continue my fight for the enactment of this legislation until it becomes a law.

Mr. Speaker, I yield to the gentleman from Michigan [Mr. HOOPER], the chairman of the Subcommittee on War Claims, who, together with his colleagues, Judge ESICK and Mr. HARE, have so patiently conducted a most thorough investigation, and who will speak for the Committee on War Claims and explain the merits of the bill.

Mr. HOOPER. Mr. Speaker, I had not intended to speak on this bill. I intended to leave it to the gentleman from Minnesota [Mr. ANDRESEN]. I realize the bill may not pass. In fact, I was fearful when it was reported out of my subcommittee that it would not pass, because I knew that it was within the power of one person, who perhaps had studied the bill, and who perhaps had not, to make an objection, which objection undoubtedly will be made.

I presume I am about as conservative as any man in the House when it comes to questions of this kind. I would report out a bill of this kind with the greatest reluctance unless I felt assured that it was a good one. Our subcommittee had most exhaustive hearings on the matter. We did not publish the hearings in full and annex them to the bill, because it seemed to the committee that it would have taken too much printing for a report in the Private Calendar. This case simply involves again the question of whether or not the United States Government, after it enters into what amounts in this case to a contract, as I am convinced, as was Secretary Baker and former Chief Justice Taft, will live up to that contract. It illustrates again the fact that when the Government of the United States owes private citizens money, one of the most difficult things on earth is to get that money paid and have those people satisfied.

Here is a large number of men who were promised, just as were the Bethlehem people, that if they would go on, if they would not strike, if they would do this work and rush it out, they would receive additional pay, as is stated in the report.

Mr. KNUTSON. These people never threatened to strike. They had not struck.

Mr. HOOPER. They had not struck. There was some talk that they were going to strike, and representatives of the Government were sent among them for the purpose of disposing of that threat and seeing that they carried on the all-important business of getting out munitions.

Mr. GREENWOOD. Mr. Speaker, will the gentleman yield?

Mr. HOOPER. Yes.

Mr. GREENWOOD. I understand that they were willing to submit their claims to the Arbitration Labor Board, which board was set up by the Government of the United States for the purpose of adjusting such claims as this; that arbitration was had and that an award was granted and a record made, and the only question is whether the United States Government is going to stand by such an award made by a board of its own creation.

Mr. HOOPER. Mr. Speaker, my friend from Indiana is quite correct. It is a moral obligation that has drifted along for years and years, and in the meantime, just as we are always doing when we fail to pay honest claims, when one man can stop such payment, we are sowing the seeds of the very thing which we passed a resolution here the other day to investigate. I have no personal interest in this matter. This is one claim that this Government can afford to pay and to pay without dispute. A good many men have been waiting anxiously and patiently in the belief that this Government would keep its promise to them. The bill will be objected to, and again a long period will intervene before it can come up for consideration. Probably it will never be paid. It ought to be paid by all the rules of right and justice.

Mr. O'CONNELL. If it is not paid very soon, a lot of them will die.

Mr. HOOPER. Some of them have already died, and others will die before it is paid, and their estates will have to be administered and it will be necessary to determine who are the heirs. It will complicate all of the machinery that will have to be set up to pay these claims.

Mr. SCHAFER of Wisconsin. Is there any difference between this claim and the claim of the workers in the Bethlehem Steel Co.?

Mr. HOOPER. Yes; this differs somewhat. The Bethlehem people had actually struck, and there was a vastly larger amount of money involved in the Bethlehem matter than on the part of these few comparatively small institutions.

Mr. SCHAFER of Wisconsin. And the Bethlehem bill was passed on a private claims day?

Mr. HOOPER. Yes.

Mr. BACHMANN. Oh, there is a considerable difference between the Bethlehem case and this case.

Mr. HOOPER. Yes. There is a difference between the cases, but the principle of the cases is not different. In es-

sence they are not different at all. The United States Government sent out its representatives to these people and they had these men, in what must have been a very dramatic scene, hold up their hands and pledge themselves that they would carry out in good faith the work that they were doing. That was ratified later by proper agencies of the Government and they were told that they would be paid.

It may not have been necessary for the agents to do that. These men may have been and no doubt were patriotic enough to go on without it, but they were promised, and I regret to say that it is getting to a point now in the Congress of the United States where the promise of the Government is different from the promise of one gentleman to another.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. ANDRESEN. Yes.

Mr. BLANTON. I just wanted to say to my friend that at least I am with the distinguished Secretary of War—a Cabinet officer in the gentleman's Republican administration. I think that I am a better friend to labor than labor is to me. During this war our soldiers fought in the shell-stricken trenches of France for only \$31 per month, while many industrial workers who were specially exempted from the draft to work received \$15 and \$20, and even as high as \$30 per day for skilled workers in shipyards. Yet during the war there were 6,000 strikes against the Government. This is what I have in my mind. I was one of those who voted for the "work or fight" amendment during the war, which took away the exemption from the draft and made a man fight when he refused to work. At least I am with the gentleman's Cabinet officer, the Secretary of War, when I object to this \$1,200,000 bill, when he says that "the Government of the United States owes these men no obligation and that this claim ought not to be paid."

Mr. HOOPER. The opinion of Mr. Baker, former Secretary of War, a great lawyer, was an elaborate opinion. The opinion of the present Secretary of War is a mere memorandum; and whether he is a Democrat or Republican, the man who gave the exhaustive opinion was a real lawyer and it was the opinion of that lawyer that this bill should be paid.

Mr. ANDRESEN. It is very easy to get large claims through for large concerns, and very hard to get one through for a laboring man or for an "underdog."

Mr. SCHAFER of Wisconsin. Does not the gentleman think we will have an opportunity to get a special rule for the consideration of this bill?

Mr. ANDRESEN. The gentleman knows that one can not get a special rule to take a bill off the Private Calendar.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BLANTON. I object.

Mr. ANDRESEN. Mr. Speaker, will the gentleman withhold his objection for a moment, while I ask unanimous consent that the bill be passed over without prejudice?

Mr. BLANTON. In that case you will be no better off.

Mr. ANDRESEN. I do not want the gentleman to be put in the position of being opposed to labor.

Mr. BLANTON. Mr. Speaker, this bill embraces \$1,200,000, and I object.

The SPEAKER pro tempore. Objection is heard.

#### WATER SUPPLY OF NAPA, CALIF.

The next business on the Private Calendar was the bill (H. R. 5292) to authorize the city of Napa, Calif., to purchase certain public lands for the protection of its water supply.

The title of the bill was read.

There being no objection to its consideration, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized to patent to the city of Napa, Calif., the west half southwest quarter section 5, the southeast quarter southeast quarter section 6, the northeast quarter northeast quarter section 7, the east half northwest quarter and the west half northeast quarter section 8, township 6 north, range 3 west, of the Mount Diablo meridian, California, for the protection of the water supply of said city: *Provided*, That the city shall make payment therefor at the rate of \$1.25 per acre within six months after the approval hereof: *Provided further*, That there shall be reserved to the United States all oil, coal, or other mineral deposits found at any time in the land, and the right to prospect for, mine, and remove the same under such rules and regulations as the Secretary of the Interior may prescribe: *And provided further*, That the grant herein is made subject to any valid existing claim or easements, and that the land hereby granted shall be used for the purpose for which it was granted, and if the said land or any part thereof shall be abandoned for such use said land or such part thereof shall revert to the United States; and the Secretary of the Interior is hereby authorized and empowered to declare such a forfeiture of the

grant and to restore said premises to the public domain if at any time he shall determine that the city has for more than one year abandoned the land for the uses herein indicated, and such order of the Secretary shall be final and conclusive.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the last vote was laid on the table.

DAVID A. DEHART

The next business on the Private Calendar was the bill (H. R. 3950) for the relief of David A. Dehart.

The title of the bill was read.

There being no objection to its consideration, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, sailors, and marines David A. Dehart, who was a private of the United States Marine Corps, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private of the United States Marine Corps on the 20th day of June, 1900: *Provided*, That no bounty, pay, or allowance shall be held as accrued prior to the passage of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the last vote was laid on the table.

FREDERICK RASMUSSEN

The next business on the Private Calendar was the bill (H. R. 4731) for the relief of Frederick Rasmussen.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection?

Mr. BACHMANN. Reserving the right to object, Mr. Speaker, this bill does not make any statement concerning the date of an honorable discharge. I want to offer an amendment if there is no objection to the bill, with the understanding that otherwise I shall object.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill. The Clerk read as follows:

*Be it enacted, etc.,* That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Frederick Rasmussen, who was a member of the United States Navy, shall hereafter be held and considered to have been honorably discharged from the naval service of the United States: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

Mr. BACHMANN. Mr. Speaker, I offer an amendment on line 8, after the word "States" add the word "on May 11, 1927."

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. BACHMANN: Line 8, after the word "States" strike out the colon and insert a comma and add "on May 11, 1927."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

COL. FRANK E. EVANS

The next business on the Private Calendar was the bill (H. R. 4906) for the relief of Col. Frank E. Evans, United States Marine Corps.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

The Clerk read as follows:

*Be it enacted, etc.,* That in computing his service for purposes of pay and retirement, the period Col. (then Capt.) Frank E. Evans was on the retired list of the Marine Corps, between February 28, 1905, and July 18, 1917, shall be held and considered to have been service on the active list of the Marine Corps: *Provided*, That no back pay or allowances shall accrue by reason of the passage of this act.

Mr. ARENTZ. Mr. Speaker, this is one of the bills I am going to try to pass. I met Colonel Evans in Haiti, and I know his splendid service, and I know that in the period indicated by this bill he was out of the service because of an erroneous finding by the Medical Board of the Navy. He had nothing to do with it. His health was in first-class shape, and he should have been retained. It was through no fault of his that the mistake

was made by the Navy. I think it would be a mistake to object to this bill.

Mr. STAFFORD. Does the gentleman know of any comparable instance where the Government has recognized increased rank by reason of adding inactive service to the length of real service?

Mr. COYLE. This does not increase his rank. Colonel Evans occupies the same position on the list he would have occupied if he had not been erroneously put out of the service. This gives him the right to retire earlier on his own volition.

It does give him, while he remains on the active list for the next few years, a larger rate of compensation than he would have, but it equalizes itself after he gets into the last pay period.

Mr. STAFFORD. I have been following these bills rather closely, but I do not recall any other instance, coming from either the Committee on Military Affairs or the Committee on Naval Affairs, where we have granted to a man, in the way of compensation, the time he was out of service on the inactive list.

Mr. COYLE. There is no case that is in any measure comparable to this case. This is an admitted mistake of the doctor's.

Mr. O'CONNELL. It is an isolated case.

Mr. STAFFORD. But he was out of service for years, and now he wants to be given additional pay by reason of that absence.

Mr. COLLINS. He wants that counted. It counts seven years as a part of his service when he did not serve those years.

Mr. STAFFORD. Mr. Speaker, the late James R. Mann, who gave these private bills during the entire time of his service his close attention, led a filibuster against one bill which sought to give increased pay to the graduates of the Military Academy, based upon the four years they had served in the academy rather than based upon the date when they received their commission on graduation. This is on a par with that, absolutely.

Mr. COYLE. If the gentleman will withhold his objection a moment, I submit it is not quite on a par with that. This is an officer who has had a most distinguished career. He went through all of the active service with the Marine Brigade in France, and he was out of service for a few years by a ruling of the medical staff, who now admit they made a mistake.

He draws less pay than any other colonel in the Marine Corps. If anything, he has had at least as distinguished a career as any other man there.

Mr. STAFFORD. But how much was he making when he was out of the service? The men in the service were not making any more than their regular salaries, but how much was he making during the six years he was out of the service?

Mr. O'CONNELL. He came right back to the service and went into the World War.

Mr. STAFFORD. But six years had elapsed.

Mr. O'CONNELL. But that was the fault of the Army and not the fault of the officer.

Mr. ARENTZ. It was a mistake by the Navy board and not his mistake. If he had served splendidly up until 1907 and then was retired because of some disease they thought he had, which he did not have, and then when the World War came on he gave his splendid service and gave splendid foreign service in Haiti it seems to me that this time should be counted in the record of a man who has given such splendid service as this man.

Mr. STAFFORD. I wish I could view it from that standpoint, but I am fearful of the precedent. I object.

Mr. O'CONNELL. Mr. Speaker, I ask unanimous consent to extend my remarks by inserting at this place in the RECORD some information I have with regard to this case.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. O'CONNELL. Mr. Speaker, the bill for the relief of Colonel Evans provides that he shall be given credit of 6 years 9 months and 16 days of active service for purposes of pay and retirement privileges. During that period of time he was on the retired list in an inactive status. For the balance of his time on the retired list he performed active duty.

Colonel Evans was retired on February 28, 1905, for heart trouble, pronounced as "permanent and incurable." This retirement was against his will. During his inactive status he served as secretary to United States Senator Frank O. Briggs, of New Jersey. He was restored to the active list at the outbreak of the World War, and has served continuously since then. He not only passed the physical examination on his return to the active list, but also when promoted to the grades of lieutenant colonel and colonel, and the annual physical examinations from 1918 to 1930, inclusive. The Bureau of Medicine and Surgery, Navy Department, has also officially stated that his retirement was due to an "incorrect diagnosis" in 1905, as

otherwise he could not have qualified physically in the past 13 years had he suffered from "permanent and incurable heart disease." Since his restoration to the active list Colonel Evans served overseas in combat duty with the Sixth Marines, and five years in the Tropics, and was found to be in excellent physical condition in the annual physical examination in January, 1930, bearing out the "incorrect diagnosis."

Colonel Evans served as adjutant and also as lieutenant colonel of the Sixth Marines at Verdun, Belleau Woods, and in reserve at Soissons, and on the staff of the Fourth Brigade at St. Mihiel. He was recommended for the distinguished-service medal and the croix de guerre with palm for his services at Belleau Woods by Brig. Gen. James G. Harbord, United States Army, commanding the Fourth Brigade, Second Division, United States Army. He received the Navy cross for his services at Belleau Woods.

Since the war he has served five years in Haiti. At the completion of his recent 3-year tour of service as commandant of the Guard d'Haiti, President Hoover's commission was petitioned by the Federated Committee of the Group of Patriotic Haitian Associations to have him retained on duty until the completion of the legislative elections next fall.

The spokesman of the committee, Ernest G. Chauvet, editor of *Le Nouvelliste*, stated to the commission that although he had been imprisoned four times by Colonel Evans under orders from the Haitian Government, and that other members had also been imprisoned by him, the committee desired his retention because of the uniform justness, fairness, and ability with which he had performed his duty; his intimate knowledge of Haitian affairs; and the many friendships he had made among Haitians, irrespective of their political affiliations.

This relief is asked for to remove the unintentional injustice of a retirement based on an admittedly incorrect medical diagnosis. It would place Colonel Evans on an equality with other colonels on the active list on the bases of retirement privileges and pay. The annual cost to the Government would be \$387 per annum while he is on active duty. While the Navy Department disapproved the bill solely on budgetary grounds, Brig. Gen. Rufus H. Lane, adjutant and inspector of the Marine Corps, testified in its favor before the House Committee on Naval Affairs, and the House committee voted unanimously in its favor.

#### MYRTLE M. HITZING

Mr. BACHMANN. Mr. Speaker, I ask unanimous consent to return to Calendar No. 566 (H. R. 6416).

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted*, That the Postmaster General be, and he is hereby, authorized and directed to credit the accounts of Myrtle M. Hitzing, postmaster at Danville, Fla., in the sum of \$170.97 due to the United States on account of money and postage stamps stolen from the safe of the post office at Danville when burglarized on the 13th day of May, 1929.

With the following committee amendment:

Page 1, line 5, at the end of the line strike out "\$170.97" and insert in lieu thereof "\$282.46."

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BACHMANN. Mr. Speaker, reserving the right to object, when this bill was considered earlier this afternoon I objected for the reason that the gentleman from Florida [Mr. GREEN] insisted on the committee amendment. The surety company has been called upon to pay \$111.49 of this claim, which this committee amendment seeks to relieve. I expect to object to this bill unless the committee amendment is rejected, for the reason that as the surety company has collected a premium on a bond, I do not believe Congress should relieve the surety company under that contract which they have. I wish to inquire of the gentleman from Florida [Mr. GREEN] if he is willing to have the committee amendment disagreed to and restore the original amount of \$170.97 instead of \$282.46?

Mr. GREEN. Mr. Speaker, the bill was originally introduced for \$170.97, and it later developed that the other amount of \$111.49 was paid, and it was included by way of the committee amendment. While I would like the bill passed for the entire amount, I am willing to have the bill passed without the committee amendment.

Mr. IRWIN. I will say to the gentleman from West Virginia that when the committee looked into the case the committee felt this item covered by the amendment was a just item and that is the reason it was included. If the gentleman from

Florida is satisfied, I, as chairman of the committee, will have no objection to restoring the original figures.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was rejected.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

#### THOMAS WALLACE

The next business on the Private Calendar was the bill (H. R. 4907) for the relief of Thomas Wallace.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted*, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged marines Thomas Wallace, who served in the United States Marine Corps continuously from 1889 until 1900, shall hereafter be held and considered to have been honorably discharged from such service on the 24th day of October, 1900: *Provided*, That no back pay or allowances shall accrue by reason of the passage of this act.

With the following committee amendment:

Page 1, line 8, after "1900" strike out the words "Provided, That no back pay or allowances shall accrue by reason of the passage of this act," and insert "Provided, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

#### GUY BRADDOCK SCOTT

The next business on the Private Calendar was the bill (H. R. 4760) for the relief of Guy Braddock Scott.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted*, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged sailors Guy Braddock Scott, formerly a coal passer, United States Navy, shall hereafter be held and considered to have been honorably discharged from the naval service of the United States as a coal passer on the 26th day of December, 1898: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

#### PEDER ANDERSON

The next business on the Private Calendar was the bill (H. R. 6453) for the relief of Peder Anderson.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted*, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers and sailors Peder Anderson, who was a seaman on the U. S. monitor *Manhattan*, shall hereafter be held and considered to have been honorably discharged from the naval service of the United States as a seaman of that organization on the 1st day of June, 1865: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

#### ROBERT HOFMAN

The next business on the Private Calendar was the bill (H. R. 8117) for the relief of Robert Hofman.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged sailors, their widows, or dependent relatives, Robert Hofman, formerly of the United States Navy, shall hereafter be held and considered to have been honorably discharged from the naval service of the United States: *Provided,* That no pay, pension, bounty, or other emoluments shall be held to have accrued prior to the passage of this act.

Mr. ROWBOTTOM. Mr. Speaker, I offer an amendment. In line 6, after the word "Navy," insert "who has served continuously from August 3, 1894, to November 2, 1899."

Mr. WOODRUFF. Mr. Speaker, I have no objection to the amendment.

The SPEAKER pro tempore. The gentleman from Indiana offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. ROWBOTTOM: Page 1, line 6, after the word "Navy," insert the words "who has served continuously from August 3, 1894, to November 2, 1899."

Mr. STAFFORD. What is the purpose of the amendment?

Mr. ROWBOTTOM. That is the prescribed form, I will say to the gentleman from Wisconsin. The bill does not show the dates of service.

Mr. STAFFORD. I do not know of any of these bills, where we are indirectly attempting to remove the charge of desertion and give a pensionable status, in which we have given the term of service.

Mr. ROWBOTTOM. We always do.

Mr. WOODRUFF. All of these bills should state the date upon which the soldier might have been honorably discharged.

Mr. STAFFORD. But that is not the purpose of the pending amendment. Mr. Speaker, may we have the amendment again reported?

The SPEAKER pro tempore. Without objection, the Clerk will again report the amendment.

There was no objection.

The Clerk again reported the amendment.

Mr. BLANTON. Will the gentleman yield?

Mr. STAFFORD. I yield.

Mr. BLANTON. This is a case, I will say to the gentleman from Wisconsin, where this young man was ordered to wash another man's clothes. He refused to do it, and they gave him a year's sentence. I think he ought to be given a chromo for refusing to do something he should not have done. [Applause.]

Mr. STAFFORD. Mr. Speaker, I rise in opposition to the amendment. In all of these bills which the Committee on Military Affairs reports and which the Committee on Naval Affairs reports seeking to remove the charge of desertion we do not state, as in the proposed amendment, the term of service; otherwise, we would be burdening the official statutes with needless data. However, we do put in an amendment showing the date on which the soldiers shall be considered as having been discharged.

Mr. ROWBOTTOM. That will come later.

Mr. STAFFORD. Will the gentleman cite one instance in the many bills considered to-day or on any other day reported from the Committee on Military Affairs and reported from the Committee on Naval Affairs where we have stated the term of service which the soldier has undertaken.

Many bills reported from the Committee on Military Affairs are cases where men have served different terms of enlistment, with honorable discharges, and then perhaps have fallen from grace on a third or a fourth enlistment. We merely provide that the official record shall show an honorable discharge on the date when he was dishonorably discharged or without honor.

Mr. ROWBOTTOM. The gentleman asked to be shown where a bill of this kind has passed. Here is the one that we passed to-day that gives the date when he entered the service.

Mr. STAFFORD. I must confess that here is a bill reported from the Committee on Naval Affairs where it is stated he was supposed to have served continuously from 1889 to 1900. I consider that is superfluous language, just as in the proposed amendment to the present bill. I have no objection to the amendment that will be offered later setting forth the date when he should be considered as having been honorably discharged; but stating he has served continuously is surplusage, and I therefore think the amendment should be rejected.

Mr. ROWBOTTOM. Mr. Speaker, in order that the bill may pass, I ask unanimous consent to withdraw the amendment I submitted a moment ago, and I shall submit another amend-

ment which meets the approval of the gentleman from Wisconsin.

The SPEAKER pro tempore. Without objection, the amendment will be withdrawn.

There was no objection.

Mr. ROWBOTTOM. Mr. Speaker, I offer an amendment, page 1, line 8, after the word "States," insert "on November 2, 1899."

The SPEAKER pro tempore. The gentleman from Indiana offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. ROWBOTTOM: Insert, on page 1, line 8, after the word "States," the words "on November 2, 1899."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

JAMES C. BURKE

The next business on the Private Calendar was the bill (H. R. 11212) to recognize the high public service rendered by James C. Burke in voluntarily submitting himself for a test in an effort to discover the cause and means of transmission of malarial fever.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. COLLINS. Mr. Speaker, I reserve the right to object.

Mr. COYLE. Mr. Speaker, in this particular case the man Burke went through apparently the same kind of experience that Walter Reed went through. He submitted himself to malaria inoculation in order to attempt to discover a cure for malaria.

Mr. COLLINS. That is exactly the reason I am objecting to the bill. The same statement is made in the bill and in the report that the gentleman is making on the floor of the House. It is claimed that this service man had something to do with the discovery of malaria. The cause of malaria was discovered in 1880 by Lavanan. Later Doctor Ross did other work in the years 1897 to 1899, and Doctor Ross did, or caused to be done, all the things that this man says he did or that the Navy Department claims for him and did it at least six or seven years prior to the experiment claimed by this man. Doctor Bass, of New Orleans, years before made experiments on malaria. The cause and cure of malaria was well known in 1905, at the time this man submitted himself to the test. I have no objection to his receiving \$125 per month, but credit should not be taken from those deserving it, and it should not be attempted by the House. At least four names, including Lavanan, Ross, and Bass, are clearly identified with the discovery of the cause and cure of malaria, and we should not attempt to change the record. Why not honor the men who did this great work for humanity? Why pick out some one merely because he is in the Navy and try to give him the credit for something that we all know does not belong to him? I protest against it and object.

Mr. COYLE. Will the gentleman withhold his objection for a moment?

Mr. COLLINS. I will.

Mr. COYLE. This man was not a scientist, an experimenter; he was nothing but a young hospital apprentice, on whom the doctors experimented. He gave his health just as surely as any other man did.

Mr. COLLINS. I have no objection to this man getting a pension, but I do object to medical history being misrepresented, as is attempted in this bill. This attempt to connect this man in some way with the cause and cure of malaria, when he did not have any more to do with this great achievement than the gentleman from Pennsylvania, is wrong.

It is not fair to the men that gave their time, intelligence, and health in giving humanity this splendid discovery.

Mr. Speaker, I object.

ARTHUR EDWARD BLANCHARD

The next business on the Private Calendar was the bill (H. R. 11297) for the relief of Arthur Edward Blanchard.

The Clerk read the title to the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That in the administration of any laws conferring rights, privileges, or benefits upon honorably discharged seamen of the United States Arthur Edward Blanchard, seaman, second class, shall hereafter be held and considered to have been honorably discharged from the naval service of the United States as a seaman

of the above rank: *Provided*, That no back pay, bounty, pension, or other emolument shall accrue prior to the passage of this act.

Mr. ARENTZ. Mr. Speaker, I offer the following amendment:

The Clerk read as follows:

Page 1, line 8, after the word "rank," insert the words, "on February 21, 1921."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time and passed.

A motion to reconsider was laid on the table.

CLIFFORD J. TURNER

The next business on the Private Calendar was the bill (H. R. 11477) for the relief of Clifford J. Turner.

The Clerk read the title to the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That the act of April 12, 1928 (45 Stat. L. 1720), validating homestead entry, Crookston 018072, now Cass Lake 013632, made by Clifford J. Turner, August 31, 1923, upon payment of the appraised price of the timber thereon, be, and the same is hereby amended so as to validate the said entry upon payment by the entryman of the sum of \$242.74 for the timber on the land described in said act, which amount shall be placed to the credit of the Chippewa Indians of Minnesota, and the Secretary of the Treasury is hereby authorized to transfer to the credit of said Chippewa Indians of Minnesota the sum of \$184.48, representing the difference between the original appraised value and the actual amount paid by the entryman.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

EDWINA R. MUNCHHOF

The next business on the Private Calendar was the bill (H. R. 2281) for the relief of Edwina R. Munchhof.

The Clerk read the title to the bill.

The SPEAKER pro tempore. Is there objection?

Mr. ROWBOTTOM. Mr. Speaker, I object.

CHARLES F. SARGENT

The next business on the Private Calendar was the bill (H. R. 11493) to reimburse Lieut. Col. Charles F. Sargent.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to credit the accounts of the United States property and disbursing officer for the State of Massachusetts, Lieut. Col. Frank J. Killilea, the sum of \$254.62, to be paid to Lieut. Col. Charles F. Sargent, retired, National Guard of Massachusetts, for pay at the rate of \$2,412.50 per annum while acting in the capacity of United States property and disbursing officer for the State of Massachusetts from September 1, 1922, to February 10, 1923, inclusive.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof:

"That the Comptroller General of the United States be, and he hereby is, authorized and directed to settle and allow the claim of Lieut. Col. Charles F. Sargent, retired, Massachusetts National Guard, for payment, from funds in the Treasury not otherwise appropriated, of pay at the rate of \$2,412.50 per annum for the period from January 1 to February 9, 1923, inclusive, amounting to \$261.34, Lieutenant Colonel Sargent having continued to act as United States property and disbursing officer for the State of Massachusetts after he had reached the age of compulsory retirement from the National Guard and was not eligible for appointment as United States property and disbursing officer of the State."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

HANS ROEHL

The next business on the Private Calendar was the bill (H. R. 456) for the relief of Hans Roehl.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BLANTON. Mr. Speaker, I reserve the right to object. I think, before the bill passes the objection stage, the chairman of the committee should assure the House that in another body he will not permit the amount approved by his committee to be raised back to the amount originally in the bill.

Mr. IRWIN. I promise the gentleman from Texas that I will not. This bill has been cut over 50 per cent, and the committee went thoroughly into the merits of the matter.

Mr. BLANTON. And the gentleman will insist upon that amount?

Mr. IRWIN. Yes.

Mr. BLANTON. And will not approve any other amount?

Mr. IRWIN. Absolutely not.

Mr. BLANTON. I will not object.

The SPEAKER pro tempore. Is there objection?

There was no objection, and the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$4,238 to Hans Roehl for compensation for personal property lost and damaged while in the custody of the Alien Property Custodian during the years 1914 to 1919, inclusive, in or about the city of Hoboken, N. J.

With the following committee amendment:

Line 5, strike out "\$4,238" and insert "\$2,000."

The committee amendment was agreed to.

Mr. O'CONNELL. Mr. Speaker, I offer the following amendment which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. O'CONNELL: Line 9 strike out the period, insert a colon and the following:

"*Provided*, That no part of the amount appropriated in this act in excess of 10 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 per cent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The amendment was agreed to and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

CHICO-WESTWOOD-SUSANVILLE STAGE CO.

The next business on the Private Calendar was the bill (H. R. 558) for the relief of the Chico-Westwood-Susanville Auto Stage Co., Chico, Calif.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Mr. Speaker, I reserve the right to object. I direct the attention of the gentleman from California to the following statement found in a letter from the present Secretary of the Treasury, dated March 1, 1926:

Reviewing the facts in the case, it seems clear that the former ruling was correct and that the stage line was in fact operated in competition with rail transportation. The stage company, therefore, was liable for its failure to collect and return the tax on the service rendered by it. From the record of the case it appears that it was a proper one for closing on a compromise basis and that it should remain closed.

Here is a case as I read it where there was some dispute as to whether this company was liable for a tax as being in competition with a rail and water route, and although there was contrariety of opinion by two different collectors, yet on final review it was held that the stage company was liable for the tax, and they made an offer of compromise. The gentleman is seeking in this bill to have that amount paid in compromise returned to the stage company. Why should we single out this claimant for special consideration, when I assume that there are thousands of cases where settlements in compromise are made.

Mr. LEA. Mr. Speaker, I think there are few cases like this one. The facts are that these people were conducting a stage line, a direct line 82 miles long, while the railroad line between the same points, that was claimed to be in competition, follows a circuitous route 381 miles long. The trip by stage was 7 hours and by rail it was 24 hours. Nobody would patronize the railroad in preference to this bus line. Before these stage people went into business they went to the collector of internal revenue and got his advice. The collector advised them that the routes were not competitive and that no tax would be imposed. They first went to the local agent. The local agent took it up with the San Francisco office and the Sacramento office, and they all agreed that this line was not

subject to the tax. They went ahead conducting their business for nearly two years, collecting no tax from their passengers and relying on the advice of the collector that no tax would be required. Then along comes a man on a "tax drive" representing the Treasury Department and he demanded the tax. These bus people offered to deposit the money in a bank subject to a decision on the part of the Treasury, but the agent threatened them that he would immediately arrest them and take them to court at San Francisco, 200 miles away, and seize their stages if they did not pay the money immediately. Under this extortion they paid \$1,225, and a compromise offer was signed. There was no honest claim then and there is no honest claim now. There was no competition in any substantial sense between the rail and bus lines. The first revenue collector decided in accordance with the fact. He is a man of high honesty and intelligence. This money should never to have been taken from these people.

Mr. STAFFORD. And here we have the Secretary of the Treasury saying that it should be left there.

Mr. LEA. But his representatives on the ground, who know the facts, say that it should not have been paid. The statement of the Secretary can not make the facts different from what they are.

Mr. STAFFORD. One said it should not and another later said that it should, and it was paid, and the Secretary said that it was rightfully paid.

Mr. LEA. The Secretary of the Treasury is here in Washington and he is not familiar with the facts. I know this location myself.

Mr. STAFFORD. Does not the gentleman realize that where the department states that a tax should be paid, Congress should not pass a bill to reimburse the claimant?

Mr. LEA. No. Congress should not refuse to do a just thing because any department objects. Their objections are worth no more than the merit or lack of merit on which such objections are founded. The common sense of the matter answers the gentleman's question. Here is a stage line 82 miles long that makes a direct connection between the two points. The only practical railroad connection is 381 miles, clear outside of the State of California, by a roundabout trip. The fare is three times as high on the railroad as it is on the stage line. It takes 24 hours by railroad and only 7 hours by stage. The facts themselves answer the gentleman's question.

Mr. STAFFORD. But how many similar cases are there? Congress would be beset with private bills to reimburse people who had paid taxes if we allowed this.

Mr. LEA. That is a stock argument that probably does not apply to this case. I hope the cases are rare in which the Treasury Department fails to keep faith with taxpayers, as it did in this case. The Treasury Department has turned back hundreds of millions of dollars to large taxpayers.

Mr. STAFFORD. Oh, I heard that a week ago. I am speaking about this particular matter now that is before us and about the position of the Treasury Department. They turn back money where the Treasury admits that it is unlawfully collected.

Mr. LEA. The position of the Treasury Department in this instance is not supported by the facts of the case.

Mr. ROWBOTTOM. Mr. Speaker, I demand the regular order.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. I object.

#### HARRY CINQ-MARS

The next business on the Private Calendar was the bill (H. R. 1882) for the relief of Harry Cinq-Mars.

The title of the bill was read.

There being no objection to its consideration, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That in the administration of the pension laws Harry Cinq-Mars, late of Troops F and L, Seventh Regiment United States Cavalry, shall hereafter be held to have been honorably discharged from service in the military forces of the United States on August 22, 1899: *Provided,* That no pension, bounty, pay, or other emolument shall accrue prior to the enactment of this act.

With a committee amendment as follows:

Page 1, line 3, strike out from lines 3 to 9, inclusive, and insert: "That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Harry Cinq-Mars, who was a member of Troop L, United States Cavalry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 22d day of August, 1899: *Provided,* That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the last vote was laid on the table.

#### WESTINGHOUSE ELECTRIC & MANUFACTURING CO.

The next business on the Private Calendar was the bill (H. R. 5810) to pay the Westinghouse Electric & Manufacturing Co. the sum of \$1,900.80, money paid as duty on merchandise imported under section 308 (5) of the tariff act.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Reserving the right to object, Mr. Speaker, I would like to know the facts in the case. I know of many instances where persons importing material keep them beyond the prescribed time in which they are permitted to return them and then lose the right to refund of taxes. I know of many instances, both of great and small concerns, where people who import the material pay the duty for experimental purposes, and if they export that material within the time limit the duty is refunded.

Reference is made in the bill to the Westinghouse Electric & Manufacturing Co. I know of many instances where the importers do not think of coming to Congress and asking for reimbursement of the tariff duty paid under those circumstances.

Mr. ESTEP. Mr. Speaker, in answer to the gentleman from Wisconsin [Mr. STAFFORD] I might say it was a mistake within the Westinghouse organization in the matter of keeping their books and records as to what day they should have set down for returning the goods. The goods were received on May 3. They actually exported them on October 23, less than the proper period, if May 3 was the proper time. It was an error. They paid the \$1,900.80, although the goods were actually in this country only 10 days over the six months, and that was due to a clerical error.

Mr. BACHMANN. Mr. Speaker, I coincided with the opinion of the gentleman from Wisconsin when I first studied this bill last night, but I think this is different from the ordinary case to which the gentleman refers. This is an unusual situation here. This engine was brought in only for experimental purposes. The company failed to keep the correct data in their office in regard to the time. It was their intention to send it back within the limited time. Is it right to make this company, even though it is a large company, pay \$1,900.80 unnecessarily?

Mr. STAFFORD. I know of occasions where American companies have imported engines and the like under similar circumstances and have held the articles beyond the 6-month return period, and never think of making a claim for reimbursement.

Mr. BACHMANN. I will say to the gentleman from Wisconsin that I have no interest in this case.

Mr. STAFFORD. Oh, I have heard that mentioned by many others. Everybody reminds us that they have no personal interest in these matters. It is not thinkable that any Member has any personal interest.

Mr. IRWIN. The gentleman from Wisconsin said something about a rich corporation.

Mr. STAFFORD. I said it made no difference whether it was the Westinghouse Co. or a small concern.

Mr. IRWIN. It would not make any difference with us whether it was a big or a little corporation.

Mr. STAFFORD. I do not consider that for a minute. It might be the United States Steel Corporation, or the Westinghouse Co. might be in the same class. That is not an element in the question.

Mr. ESTEP. This claim was first made through the collector of internal revenue at Pittsburgh. He made an investigation, and his report was rendered to the Customs Bureau here in Washington.

Mr. STAFFORD. If there was a clerical mistake of book-keeping I shall be inclined to withdraw my reservation of the right to object.

The SPEAKER pro tempore. Is there objection?

Mr. YATES. Mr. Speaker, I am not going to object, but I want to take the opportunity of making a speech of about two minutes. This is the fifth Friday I have been in attendance upon this Private Calendar, and at four hours a day I think all together that would make about 20 hours of time.

I just want to testify, in order to get the news back home, that I am very much impressed with the progress made with the Private Calendar. The total number of cases on this calendar is 955 and over 600 of these have been disposed of, effecting five different sittings.

I want to say that our Private Calendar is a liberal education, including the Atlantic and the Pacific, from A to Z, and its consideration is really educational.

I pay my tribute to the hard-working young men who are the musketeers detailed for the purpose of finding inaccuracies from time to time, and particularly I want to pay my tribute to the chairman of the Committee on Claims, who is from my State, from the East St. Louis district, Doctor IRWIN.

I want these few words of mine to reach back to Illinois and to the places from where you come.

Mr. Speaker and ladies and gentlemen, there are several other things which could be said, but I fear somebody might think I had some personal interest in saying these things.

I withdraw my reservation of objection, Mr. Speaker. [Applause.]

Mr. COLLINS. Reserving the right to object, after the beautiful speech of the gentleman from Illinois [Mr. YATES], I think we should give the gentleman unanimous consent to take up his bill out of order.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Westinghouse Electric & Manufacturing Co., of East Pittsburgh, Pa., the sum of \$1,900.80 for money paid as duty upon certain merchandise imported under section 308 (5) of the tariff act of September 21, 1922.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

J. W. NELSON

Mr. LEAVITT. Mr. Speaker, I ask unanimous consent to take up, out of order, Calendar No. 692, H. R. 8127, for the relief of J. W. Nelson, a bill introduced by the gentleman from Illinois [Mr. YATES], who has just made such a beautiful speech. [Applause.]

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana [Mr. LEAVITT]?

Mr. IRWIN. Mr. Speaker, as chairman of the committee I have no objection.

Mr. STAFFORD. Mr. Speaker, reserving the right to object, let the bill be reported.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to redeem, in favor of J. W. Nelson, Galva, Ill., United States Treasury note, series B-1927, issued May 15, 1923, matured March 15, 1927, serially numbered 22930, in the denomination of \$500, with interest at the rate of 4% per cent per annum from September 15, 1925, to March 15, 1927, without presentation of the said note or the coupons representing interest thereon from September 15, 1925, to March 15, 1927, the note with the said coupons attached having been lost or destroyed: *Provided*, That the said note shall not have been previously presented for payment, and that no payment shall be made hereunder for any coupons which have been previously presented and paid: *Provided further*, That the said J. W. Nelson shall first file in the Treasury Department a bond in the penal sum of double the amount of the note and the interest payable thereon, in such form and with such surety or sureties as may be acceptable to the Secretary of the Treasury, to indemnify and save harmless the United States from any loss on account of the lost or destroyed Treasury note herein described or the coupons belonging thereto.

The SPEAKER pro tempore. Is there objection to taking up the bill out of order?

There was no objection.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. O'CONNELL. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Illinois regarding the interest mentioned in this bill. In other words, I want the gentleman to tell me something about the bill.

Mr. YATES. This is a not uncommon case of a man putting \$500 into evidence of indebtedness of the United States, not Liberty bonds but United States Treasury notes.

Mr. O'CONNELL. Then, this interest represents coupons?

Mr. YATES. Yes. The coupons were paid up to a certain time, but for the past five years the man has been out of his money. The Government has the money and is losing nothing.

Mr. O'CONNELL. The gentleman from Illinois has convinced me.

Mr. SCHAFER of Wisconsin. Reserving the right to object, I will state that as chairman of the subcommittee which had this bill under consideration, I want to congratulate the gentle-

man from Illinois for the diligence he has shown in representing his constituent. After very careful consideration the War Department and the Claims Committee by a unanimous vote reached the conclusion that this bill was a very meritorious one, and the gentleman from Illinois [Mr. YATES] is to be congratulated for following it up as closely as he has.

The gentleman from Illinois [Mr. YATES] is one of the hardest working Members of the House, and his constituents should appreciate his work and send him to Congress as long as he offers to serve them.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

A. E. BICKLEY

The next business on the Private Calendar was the bill (H. R. 6243) for the relief of A. E. Bickley.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to A. E. Bickley, of Shreveport, La., the sum of \$724.79. Such sum represents the difference between the amount of a bond given by the said A. E. Bickley to secure the appearance of Ivanhoe M. Watts in the United States District Court for the Western District of Louisiana, which was forfeited on account of the failure of the said Ivanhoe M. Watts to appear, together with court costs assessed against said A. E. Bickley, and the cost to the United States in apprehending and returning to custody the said Ivanhoe M. Watts, who was thereafter sentenced to prison.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

THOMAS J. PARKER

The next business on the Private Calendar was the bill (H. R. 6268) for the relief of Thomas J. Parker.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Thomas J. Parker, of Brooklyn, N. Y., the sum of \$500. Such sum shall be in full satisfaction of all claims against the United States for damages on account of personal injuries sustained by the said Thomas J. Parker as a result of being struck by a United States Army automobile on October 6, 1924, in Brooklyn, N. Y.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

HOWARD PERRY

The next business on the Private Calendar was the bill (H. R. 7013) for the relief of Howard Perry.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BACHMANN. Mr. Speaker, reserving the right to object, I ask unanimous consent that this bill be not considered now, but be taken up a little later this afternoon, because of some additional information that we desire before it is considered.

The SPEAKER pro tempore. Objection is heard. The Clerk will report the next bill.

PALMER FISH CO.

The next business on the Private Calendar was the bill (H. R. 8347) for the relief of the Palmer Fish Co.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Palmer Fish Co. the sum of \$961.71, in full compensation for loss of motor boat *Verna*, purchased by the Palmer Fish Co. at a sale by the United States Government on August 29, 1927, and resealed by former owners in Canadian waters, who, under decision of Canadian court, are entitled to hold same, the seizure and sale by the United States Government having been unlawful.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

HENRY A. LEVAKE

The next business on the Private Calendar was the bill (H. R. 8440) for the relief of Henry A. Levake.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers,

Henry A. Levake, who was a member of Company I, First Regiment Veteran Reserve Corps, as a veteran volunteer, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 2d day of April, 1865: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

The title was amended.

#### EDNA B. ERSKINE

The next business on the Private Calendar was the bill (H. R. 1527) for the relief of Edna B. Erskine.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BACHMANN. Mr. Speaker, I object.

#### CON MURPHY

The next business on the Private Calendar was the bill (H. R. 6362) for the relief of Con Murphy.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. COLLINS. Mr. Speaker, reserving the right to object, I am wondering why the long delay in making this claim?

Mr. CARTER of Wyoming. This bill has been before many Congresses, I think from the Sixty-sixth Congress on. The report states the different Congresses which considered it.

Mr. COLLINS. Has it ever been favorably reported before?

Mr. CARTER of Wyoming. Yes. There was a report which came out in 1919 from the Acting Secretary of the Treasury, in which he says "from an examination of the papers in the case on file in this department, Mr. Murphy's claim appears to be meritorious."

Mr. COLLINS. The first injury for which he wishes to be compensated was caused by his falling down. The second one was caused by lifting a wastebasket. I can not tell which injury the gentleman relies upon.

Mr. CARTER of Wyoming. He is permanently injured from both accidents. The first one occurred in this way: They were measuring a carpet and were having some trouble with it; the postmaster saw they were having some trouble and he kicked the roll of carpet and pulled it out from under this janitor; the result was he fell down and hurt his knee, and he is permanently injured from that.

Mr. COLLINS. You want the Government to give him \$2,000 for falling down on the floor or picking up a wastebasket?

Mr. CARTER of Wyoming. He was a Government employee, and this occurred before the establishment of the Employees' Compensation Commission.

Mr. COLLINS. Why should the Government be held responsible for this man's falling down on the floor or the lifting of a wastebasket?

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. COLLINS. I yield.

Mr. SCHAFER of Wisconsin. The gentleman from Wyoming stated that the postmaster assisted him in falling down while performing Government work, and the postmaster being a Government agent, there is, therefore, Government liability.

Mr. CARTER of Wyoming. This man has been in the service of the Government for a long time.

Mr. COLLINS. It seems to me we are raping the Treasury.

Mr. CARTER of Wyoming. I think not.

Mr. PATTERSON. Will the gentleman yield?

Mr. COLLINS. I yield.

Mr. PATTERSON. I just want to ask this question: What is the man doing now?

Mr. CARTER of Wyoming. He is not able to do anything. He has an income of \$360 a year from a few little houses he owns, and he is permanently injured as the result of these two accidents. He is not able to do any work, and he was in the employ of the Government when these accidents happened.

Mr. COLLINS. I have lifted a great many wastebaskets, but I have never been injured, and I have fallen down, but did not feel that the Government had anything to do with it.

Mr. COCHRAN of Missouri. Will the gentleman yield?

Mr. COLLINS. Yes.

Mr. COCHRAN of Missouri. If the gentleman will read the report—

Mr. COLLINS. I have read the report. I have examined it very carefully and know what it contains.

Mr. COCHRAN of Missouri. The gentleman will find from the report that the wastebasket was filled with heavy books.

Mr. COLLINS. That is all right.

Mr. COCHRAN of Missouri. But in going to lift the wastebasket he did not know the books were in it. He thought the wastebasket was filled with paper. The gentleman knows how heavy books are.

Mr. COLLINS. I have the notion that there is no responsibility on the part of the Government for these injuries, so I object.

#### M. L. FLOWE

The next business on the Private Calendar was the bill (H. R. 7664) to authorize payment of fees to M. L. Flowe, United States commissioner, of Monroe, N. C., for services rendered after his commission expired and before a new commission was issued for reappointment.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the sum of \$100 is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, to be paid to M. L. Flowe, United States commissioner, of Monroe, N. C., for hearing and disposing of certain cases after his term of office expired and before his new commission was issued for reappointment.

With the following committee amendments:

Page 1, line 3, strike out "\$100" and insert "\$87.45."

Line 5, strike out the word "Flowe" and insert the word "Flow."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

The title was amended.

#### TRACY LEE PHILLIPS

The next business on the Private Calendar was the bill (H. R. 10365) for the relief of Tracy Lee Phillips.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BACHMANN. Mr. Speaker, reserving the right to object, I want to call the attention of the Members of the House to the fact that this bill corrects the record of a World War veteran. Our committee has agreed that we will not correct any records of World War veterans unless it is in an unusual case.

Mr. DRANE. Will the gentleman yield to me as representing the Naval Affairs Committee?

Mr. BACHMANN. Yes.

Mr. DRANE. I have no personal interest in this case. It was passed by the Naval Affairs Committee, and I was designated to represent the committee on the floor. I know of no better way of doing it than just to read the facts.

Mr. BACHMANN. We can possibly save a little time. The only thing in this case that makes it unusual is the fact that this man married over there before the armistice was declared. He sent his wife a letter advising her that they had been ordered back to the United States, and he did not have an opportunity to see her. For that he was sentenced to five years' imprisonment and served some time in prison and was given a dishonorable discharge. I think it is an unusual case, and I think his record ought to be corrected.

Mr. BLANTON. If the gentleman will permit, this is the bill of the gentleman from Kansas [Mr. SPROUL]. I think the gentleman from Montana [Mr. LEAVITT] will back me up in the statement that the gentleman from Kansas [Mr. SPROUL] is to the Committee on Indian Affairs what the gentleman from West Virginia [Mr. BACHMANN] is to the Committee of the Whole House on the state of the Union, on private bill day. He has done more in that Committee on Indian Affairs to stop bad bills, in my judgment, and to save money for the United States Government—I am speaking about the gentleman from Kansas—than any other man I know of. In consideration of the special service he has rendered to the people of the United States, I hope the gentleman from West Virginia will let his present bill pass.

Mr. BACHMANN. I am not going to object but simply wanted to call the attention of the House to the fact that we will not correct the records of men who served in the World War except in unusual cases.

Mr. STAFFORD. Will the gentleman yield?

Mr. BACHMANN. Yes.

Mr. STAFFORD. The facts as stated in the report seem to lift this case out of World War service. The gentleman will

notice that he served until August 25, 1919, and the offense was committed when he was a World War veteran but after the armistice was signed.

I would be rather hesitant to permit the consideration of this bill if the offense had been committed while the war was going on, but it was many months afterwards.

Mr. BACHMANN. The war was not legally ended until after that. The armistice was signed long before the treaty was signed.

Mr. LAGUARDIA. That is right, but for strictly military purposes hostilities ended on November 11, 1918, and that is the date I am going to be guided by in all these matters.

Mr. STAFFORD. When I read this report I was influenced by the fact that his offense was committed six months after the armistice was signed and was not committed during hostilities. He had a very good record.

Mr. BACHMANN. Yes; he did have.

Mr. STAFFORD. And he wanted to get back to his sweetheart or his wife, and under extremis he sent the letter which has been referred to.

Mr. BACHMANN. But I wanted to point out that we are not setting a precedent in correcting this record.

Mr. STAFFORD. I think it is well that the gentleman has explained the entire matter to the House.

Mr. O'CONNELL. But we have set a precedent by this action. I am friendly to the bill, but we are setting a precedent just the same.

Mr. BACHMANN. I want to say to the gentleman from New York that I am calling the attention of the Members of the House to the fact that this is a case that takes it out of the ordinary one.

Mr. LAGUARDIA. Mr. Speaker, I am very much interested in these correction of record cases on World War veterans, so let us have the record clear. The only precedent we have set by this bill is that if a soldier, six months after the armistice, wrote to his wife and told her he could not tell her good-by, and got punished for that, we will then correct his record. That is the only precedent we are establishing.

Mr. BACHMANN. I do not quite agree with the gentleman's statement. I think in addition to that, this is an exceptional case.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That in the administration of the pension laws or of any laws conferring rights, privileges, or benefits upon honorably discharged soldiers and sailors Tracy Lee Phillips shall hereafter be held and considered to have been honorably discharged from the naval service of the United States during the World War: *Provided,* That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

JOSEPH N. MARIN

The next business on the Private Calendar was the bill (H. R. 11337) for the relief of Joseph N. Marin.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. The Chair is advised there is a similar Senate bill and without objection the Senate bill will be considered in lieu of the House bill.

There was no objection.

The Clerk read the Senate bill (S. 3866), as follows:

*Be it enacted, etc.,* That in the administration of the pension laws Joseph N. Marin, late of the U. S. S. *Solace*, shall hereafter be held and considered to have been honorably discharged from the naval service of the United States as a third-class apprentice of said ship: *Provided,* That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

Mr. ARENTZ. Mr. Speaker, the date of discharge is not included in the bill. I think the date of discharge should be included, which was June 5, 1899, and I offer that as an amendment.

The SPEAKER pro tempore. The gentleman from Nevada offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. ARENTZ: In line 7, after the word "ship" insert "as of June 5, 1899."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

A similar House bill was laid on the table.

Mr. COCHRAN of Missouri. Mr. Speaker, I ask unanimous consent to proceed for one minute.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. COCHRAN of Missouri. Mr. Speaker, I simply want the RECORD to show at this point the reason this man was dishonorably discharged without honor from the Navy, so that people who read the RECORD will realize that the House is not passing bills here simply because some Member wants them passed.

The sailor served for many years in the Navy, throughout the battle of Manila Bay, and then he disobeyed orders by taking a swim in the sea. He was court-martialed, discharged without honor. For this reason alone he has been deprived of all the rights of an honorably discharged sailor, and this bill simply corrects his record in that respect. The report shows he enlisted at the age of 14, and received the Dewey Medal of Honor, awarded to all who served in the Battle of Manila Bay. Many other bills correcting records of soldiers and sailors passed to-day are equally meritorious. The people who read the RECORD should know there is a good reason for passing bills of this character.

TRACY LEE PHILLIPS

Mr. BACHMANN. Mr. Speaker, I ask unanimous consent to return to Calendar No. 613, the bill (H. R. 10365) for the relief of Tracy Lee Phillips, a bill introduced by the gentleman from Kansas [Mr. SPOUL], which was recently passed. We overlooked putting in an amendment giving the date of discharge. I think before the bill goes out of the control of the House it ought to be amended.

The SPEAKER pro tempore. The gentleman from West Virginia asks unanimous consent to vacate the proceedings by which the bill H. R. 10365 was engrossed, read a third time, and passed. Is there objection?

There was no objection.

Mr. BACHMANN. Mr. Speaker, I now offer an amendment to the bill, in line 7, after the word "discharge," insert "on August 25, 1919."

The SPEAKER pro tempore. The gentleman from West Virginia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BACHMANN: On page 1, line 7, after the word "discharge," insert "on August 25, 1919."

The amendment was agreed to.

Mr. BACHMANN. Mr. Speaker, I offer another amendment, in line 8, after the word "no," to strike out the word "bounty."

The SPEAKER pro tempore. The gentleman from West Virginia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BACHMANN: In line 8, on page 1, strike out the word "bounty."

The amendment was agreed to.

Mr. BACHMANN. Mr. Speaker, I offer another amendment, in line 9, strike out the first word "pension" and insert in its place the word "compensation."

The SPEAKER pro tempore. The gentleman from West Virginia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BACHMANN: In line 9, on page 1, strike out the word "pension" and insert in lieu thereof the word "compensation."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

THE TARIFF

Mr. SNELL, by direction of the Committee on Rules, presented a privilege report for printing under the rule, as follows:

House Resolution 253

*Resolved,* That for the purpose of the vote and debate, the two conference reports on the bill H. R. 2667 shall be considered as one report. The reading of the two reports shall be waived and the statements of the managers on the part of the House shall be read in lieu thereof. There shall be three hours of debate, which shall be confined to the reports, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. In the consideration of the reports all points of order shall be waived. At the conclusion of debate the previous question shall be considered as ordered on the adoption of the reports.

Mr. O'CONNOR of New York reserved all points of order on the resolution.

Mr. SNELL. Mr. Speaker, under the circumstances and in view of the fact that this rule will be called up to-morrow, I ask unanimous consent that the rule may be read for the information of the House.

The Clerk read the resolution.

DAVID O. BOWMAN

The next business on the Private Calendar was the bill (S. 8) for the relief of Lieut. David O. Bowman, Medical Corps, United States Navy.

The Clerk read the title to the bill.

The SPEAKER pro tempore. Is there objection?

Mr. PATTERSON. Reserving the right to object, I want to say that this is a similar bill to one that we passed the other day, not identical, but they said the other one was the only one in the United States. This calls for \$1,150 per annum, and is one of these promotion bills.

Mr. STAFFORD. Mr. Speaker, I think this establishes a bad precedent, and I object.

CHARLES E. BYRON, ALIAS CHARLES E. MARBLE

The next business on the Private Calendar was the bill (S. 420) for the relief of Charles E. Byron, alias Charles E. Marble.

The Clerk read the title to the bill.

The SPEAKER pro tempore (Mr. SNELL). Is there objection?

Mr. STAFFORD. Mr. Speaker, this is a bill for the relief of a former seaman. The bill does not give the date when he should have been honorably discharged. I have not before me that date, but I would like some member of the Naval Affairs Committee to give me the date when he should have been honorably discharged. I have not read the report carefully enough to know what date of discharge should be carried.

Mr. COYLE. If the gentleman will notice this is a case of desertion, not a case of dishonorable discharge. It is a record of desertion that we want to remove against the name. It is not as though we had a case where he had been discharged as of a certain date. He was absent without leave on a certain date, and subsequently he enlisted under another name. This bill is to remove that charge of desertion.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That in the administration of the pension laws, Charles E. Byron, alias Charles E. Marble, shall be held and considered to have been honorably discharged from the naval service of the United States on May 6, 1900: *Provided,* That no pension, bounty, or other allowance shall be held to have accrued prior to the passage of this act.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

EDNA B. ERSKINE

Mr. O'CONNELL. Mr. Speaker, I ask unanimous consent to return to Calendar No. 610 (H. R. 1527), a bill for the relief of Edna B. Erskine. It was objected to, but the gentleman from New York [Mr. SOMERS] is here and will answer any questions.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

Mr. BACHMANN. I reserve the right to object to the bill.

The SPEAKER pro tempore. Is there objection to returning to Calendar No. 610?

There was no objection.

Mr. O'CONNELL. I ask unanimous consent to substitute the Senate bill, S. 969.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

Mr. BACHMANN. Reserving the right to object, I want to inquire of the gentleman from New York whether or not this traveling man that was killed carried any insurance?

Mr. SOMERS of New York. I do not believe he did. I do not know that for a certainty, but from what his wife told me he had no insurance of any kind.

Mr. BACHMANN. No insurance company is involved in this claim?

Mr. SOMERS of New York. No; there is not.

Mr. BACHMANN. That is the only objection I had. Will the gentleman consent to the usual amendment as to attorneys' fees?

Mr. O'CONNELL. I will offer that amendment.

Mr. BLANTON. Before we pass the objection stage, I want to say that this bill is for \$10,000, and it has been reduced to \$5,000. Will the chairman of the committee assure us that the amount will not be raised by the conferees?

Mr. IRWIN. I will.

Mr. BLANTON. Then I shall not object.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 969

An act for the relief of Edna B. Erskine

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Edna B. Erskine, widow of George Erskine, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000 in full settlement of all claims against the Government for the death of her husband, who died as a result of injuries sustained by falling down an open and unguarded elevator shaft in the United States appraisal store building in New York City, July 17, 1923.

Mr. O'CONNELL. Mr. Speaker, I offer the following amendment.

The Clerk read as follows:

Page 1, line 11, after the figures "1923," add the following: "*Provided,* That no part of the amount appropriated in this act in excess of 10 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 per cent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The amendment was agreed to.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

The House bill was laid on the table.

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Mr. VESTAL. Mr. Speaker, I ask unanimous consent to proceed for half a minute.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. VESTAL. Mr. Speaker, following the point of order that was made to the report on the bill H. R. 12549, to amend and consolidate the act respecting copyrights, and so forth, yesterday, I have complied with this demand and have filed with the Clerk a report which will comply with the Ramseyer rule.

JOHN MARKS

The next business on the Private Calendar was the bill (S. 3784) for the relief of John Marks, alias John Bell.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That in the administration of the pension laws John Marks, alias John Bell, shall be held and considered to have been honorably discharged from the naval service: *Provided,* That no pension, bounty, or other allowance shall be held to have accrued prior to the passage of this act.

Mr. ARENTZ. Mr. Speaker, the record shows that this man enlisted on December 26, 1861, and deserted on March 22, 1864, with no date of discharge. I think we should insert the usual provision naming a date of discharge. I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. ARENTZ: Line 5, after the word "service," insert "as of March 22, 1864."

Mr. STAFFORD. Mr. Speaker, I rise in opposition to the amendment. I ask the gentleman from Pennsylvania [Mr. COYLE] whether this bill is not similar in its purport to a bill just considered, wherein I brought up the question as to whether the date of discharge should not be included, and the gentleman in response stated that it was a case of desertion, but that the man had subsequent service. I note here from the letter of The Adjutant General, that he later served in the Third Pennsylvania Heavy Artillery and was honorably discharged July 8, 1865. In the prior bill a similar circumstance prevailed. This man had an honorable discharge from the service July 8, 1865.

Mr. ARENTZ. That was out of the Army.

Mr. STAFFORD. What is the purpose of the gentleman's amendment?

Mr. ARENTZ. He first enlisted in the Navy. He served for a certain length of time and deserted. He then enlisted in the Army and served in a splendid manner and got an honorable discharge. Now, to correct the record, having no date of discharge because he was not discharged, but is named as a deserter, it is necessary to name a date. The date that he actually deserted from the Navy was March 22, and we are naming that date as the date of discharge from the Navy.

Mr. COYLE. The gentleman from Wisconsin is perfectly correct in his assertion that this is a desertion, also the other was a desertion case. I was not aware that it was necessary specifically to put the date of the honorable discharge in the bill if he later had an honorable discharge. It seems to me that if you say his service was honorable that would remove the charge of desertion. I do not see why you should say that his discharge occurred on a certain date, when he was not discharged at all.

Mr. ARENTZ. It seems to me some date should be named. When did his service terminate? We do not know. He did desert on March 22. Let us assume that the Navy service terminated on March 22. A short time thereafter he entered the Army and received an honorable discharge.

Mr. SIMMONS. The gentleman does not mean to assume that a man may terminate his service by desertion and that the Congress will officially approve it? What was the cause of the desertion?

Mr. ARENTZ. We do not know.

Mr. SIMMONS. Did he immediately go into the Army service?

Mr. ARENTZ. A short time afterwards. I think a man who served in the Civil War in the Army, even though he had a charge of desertion against him in the Navy previously, is entitled to an honorable discharge.

Mr. SIMMONS. It seems to me a rather poor policy for Congress to adopt to fix the date of desertion as the date of discharge from any arm of the service.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Nevada.

The amendment was agreed to; and the bill as amended was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

#### SUPPLEMENTAL REPORT ON H. R. 11852

Mr. VESTAL. Mr. Speaker, I ask unanimous consent to file a supplemental report on H. R. 11852.

The SPEAKER pro tempore. Is there objection?

There was no objection.

#### META DE RENE M'LOSKEY

Mr. BACHMANN. Mr. Speaker, I ask unanimous consent to return to Calendar No. 559, H. R. 9921, for the relief of Meta de Rene McLoskey.

The SPEAKER pro tempore. The gentleman from West Virginia asks unanimous consent to return to Calendar No. 559. The Clerk will report the title of the bill.

The Clerk read the title of the bill.

Mr. STAFFORD. Mr. Speaker, for the time being I object. Mr. BACHMANN. Mr. Speaker, will the gentleman withhold his objection?

Mr. STAFFORD. Certainly.

Mr. BACHMANN. I objected to the bill until we could obtain some information from the Veterans' Bureau, and I have a statement here handed to me by the gentleman from Indiana [Mr. LUDLOW], which says that the payments on the premium of insurance that were paid on this policy were made from the pay of this soldier, and he signed an article to that effect, so the contract is clear and complete.

Mr. STAFFORD. Well, now, what are the facts?

Mr. BACHMANN. The facts are these: The bill asks that the \$10,000 insurance be paid to the mother of this boy. I objected to it because they did not say in the report that they had been paid the premiums for this insurance. They now hand me certificates from the Veterans' Bureau saying that the soldier had signed a rider with the Veterans' Bureau authorizing the Bureau to take out of his pay the amount of his premiums.

Mr. STAFFORD. Here is a soldier who entered the service on March 29, 1918. He entered the hospital on May 2 for treatment. He was last known to have returned to duty from the hospital on May 7. He virtually deserted on May 7. He has not been heard from since. Upon that statement it is proposed to pay the mother \$10,000. No premiums have been paid from that date to this.

Mr. BACHMANN. There is no record showing that this man deserted. The Prudential Insurance Co., after two investigations, paid two policies to the mother and found that the boy had died before they made the payment.

Mr. STAFFORD. Earlier in the afternoon there was another Member who wished to inquire about the facts of this case, and so, for the time being, I will object.

The SPEAKER. Objection is heard.

#### SILVER SERVICE OF THE CRUISER DENVER

The next business on the Private Calendar was the bill (H. R. 10387) authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the city of Denver, Colo., the ship's bell, plaque, war record, name plate, and silver service of the cruiser *Denver*, that is now or may be in his custody.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. O'CONNELL. Mr. Speaker, I was wondering whether this was not already covered by the law. This ship is still in commission, as I understand. The bill authorizes the Secretary of the Navy to take certain pieces out of the vessel and turn them over to the city of Denver. What is the necessity for it?

Mr. EATON of Colorado. Mr. Speaker, this bill authorizes the Secretary of the Navy to take these articles from the *Denver* only in case that vessel is stricken from the Navy list.

Mr. O'CONNELL. I understand the ship is about to be decommissioned.

Mr. EATON of Colorado. It has not been decommissioned, but it is about to be decommissioned.

Mr. STAFFORD. Mr. Speaker, under reservation of an objection, when I thought this bill was under consideration, a moment ago, I was proceeding to suggest that I was surprised at the statement of the Acting Secretary of the Navy when he recommended the return of this silver service in consideration of the fact that in several other cases which have come up in this Congress the Navy Department has claimed that the silver service should not be returned but should be retained and placed on other vessels.

There was one case where there was really a loan. Do I understand in this case that it is to be a complete transfer? In the last case considered on the last call the gentleman from Washington [Mr. MILLER] assured the House that in case another vessel was named from the same city it was the intention to return the silver to the new vessel.

Here you are providing for a delivery of this silver service to the city of Denver.

Mr. EATON of Colorado. Mr. Speaker, the language of the bill provides that the city of Denver shall be the custodian of these articles until such time as they shall be needed.

On July 20, 1904, at Galveston, Tex., Hon. Charles R. Brock, representing the citizens of Denver, Colo., presented to the United States cruiser *Denver* a silver service consisting of a silver bowl, ladle, and cups. The funds to purchase this service, amounting to about \$3,500, were raised by popular subscription, aided largely by the newspapers and the committee of the chamber of commerce.

There was also a wonderfully toned silver bell, 20 inches high, 26 inches across at the bottom, and weighing about 400 pounds, which had been cast in the Denver foundry of W. P. Davoren. Mayor R. R. Wright and many others, of whom I had the honor to be one, contributed silver dollars, while the school children contributed dimes, all of which were melted together with the old bell which had hung in the city hall for many years, making this bell with its beautiful tone, and costing about \$2,500. On one side was the inscription:

This silver bell was presented by the citizens of Denver, Colo., to the cruiser *Denver*, 1903.

On the other side was engraved the seal of the city of Denver and the coat of arms.

The articles of the service were made exclusively from silver and gold from the mines of Colorado.

Denver has a pardonable pride in this bell, and appreciates the stories which have been told and the traditions which have arisen out of the use of this bell and its remarkable tone. We will take good care of it. We regret that the cruiser *Denver* is to be decommissioned. But whenever our Navy has another boat for its use, we will have it ready for delivery. We are not captious about the exact language of the bill, and will accept any proper amendment which the gentleman from Wisconsin, Mr. STAFFORD, suggests to make definite and certain that the silver bell and service will be ready for delivery whenever there is another *Denver*, whether of the cruiser or any other type in our Navy.

Mr. STAFFORD. There is no objection to that in the case of the *Denver* if another vessel is given that same name. In

that case the service will be transferred to it. I would make it a loan to the city of Denver until such time as the Secretary may determine. That was the phraseology of the other bill.

Mr. O'CONNELL. If it is not returned to the Navy Department it would be retained until such time as it might be needed.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

*Be it enacted, etc.,* That the Secretary of the Navy be, and he is hereby, authorized, in his discretion, to deliver to the custody of the city of Denver, Colo., the ship's bell, plaque, war record, name plate, and silver service of the cruiser Denver, that is now or may be in his custody: *Provided,* That no expense shall be incurred by the United States through the delivery of said articles.

With a committee amendment as follows:

Page 2, line 2, after the word "articles," insert a comma and the words "and said articles be retained on board the cruiser Denver until such time as said vessel is stricken from the Navy list."

The SPEAKER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

Mr. STAFFORD. Mr. Speaker, I offer an amendment.

The SPEAKER. The Clerk will report the amendment offered by the gentleman from Wisconsin.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Page 1, line 4, strike out the words "to deliver to the custody of" and insert "to loan to";

Line 5, after the word "Colorado," insert "until such time as he may hereafter determine."

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

HOWARD PERRY

Mr. BACHMANN. Mr. Speaker, about a half hour ago I asked unanimous consent that the consideration of the bill H. R. 7013 be withheld. I now ask unanimous consent for the present consideration of the bill (H. R. 7013) for the relief of Howard Perry.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay to Howard Perry, of Ellijay, Ga., out of any money in the Treasury not otherwise appropriated, the sum of \$609.26, with interest at 6 per cent per annum from June 21, 1926, to the date payment authorized by this act is made.

The United States, acting through its duly constituted officers, sold to said Howard Perry on February 11, 1925, under Revised Statutes, section 3450, one Nash roadster automobile, serially numbered 265696, motor numbered 148585, for \$505, which was paid by said Perry, and thereafter Hartford Fire Insurance Co. instituted a trover suit against said Perry in the superior court of Gilmer County, Ga., for the recovery of said automobile and which suit was removed to the United States District Court for the Northern District of Georgia and tried in said court at Atlanta, Ga., on June 21, 1926, resulting in a verdict and judgment for the plaintiff in the sum of \$505 principal, \$44.18 interest, and \$60.08 costs, which sums, aggregating \$609.26, were paid by said Howard Perry and thus occasioned him a loss of said aggregate amount.

With the following committee amendment:

Page 1, line 6, after the figures, strike out "with interest at 6 per cent per annum from June 21, 1926, to the date payment authorized by this act is made."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

VALIDATING ENTRIES OF PUBLIC LANDS

The next business on the Private Calendar was the bill (H. R. 247) validating certain applications for, and entries of, public lands.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the mineral entries hereinafter named be, and the same are hereby, validated; and the Secretary of the Interior be, and he is hereby, authorized to issue patents thereon upon the submission of satisfactory proof of compliance with the law under which such entries were allowed, and payment of all moneys due thereon;

Mineral entry No. 0664, Nome, Alaska, made by the Hammon Consolidated Gold Fields, a corporation, on June 28, 1926, for the Willow fraction placer claim, on the right limit of Boulder Creek, survey No. 1822, in the Cape Nome mining district, Alaska, containing an area of 3.074 acres.

Mineral entry No. 0666, Nome, Alaska, made by the Hammon Consolidated Gold Fields, a corporation, on June 28, 1926, for the Silver fraction placer claim on the right limit of Dry Creek, survey No. 1393, in the Cape Nome mining district, Alaska, containing an area of 1.326 acres.

Mineral entry No. 0615, Nome, Alaska, made by the Hammon Consolidated Gold Fields, a corporation, on June 15, 1926, for the Franklin Gulch placer claim Nos. 1 and 2, on Franklin Gulch and included in survey No. 1354, in the Cape Nome mining district, Alaska, containing an area of 39.169 acres.

Mineral entry No. 0636, Nome, Alaska, made by Andrew Anderson on June 22, 1925, for the Maud fraction placer claim, survey No. 1361, in the Cape Nome mining district, Alaska, containing an area of 8.477 acres.

Mineral entry No. 0637, Nome, Alaska, made by Andrew Anderson on June 17, 1925, for the Snake placer and Buford fraction placer claims, survey No. 1374 in the Cape Nome mining district, Alaska, containing an area of 20.974 acres.

Mineral entry No. 0646, Nome, Alaska, made by Fred M. Johnson on October 22, 1925, for the Wonder Bench placer claim, survey No. 1389, in the Cape Nome mining district, Alaska, containing an area of 6.511 acres.

With the following committee amendment:

Page 2, line 2, after the word "of," strike out the word "Boulder" and insert in lieu thereof "Bourbon."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

COLONIAL NATIONAL MONUMENT IN VIRGINIA

Mr. COLTON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 12235), to provide for the creation of a colonial national monument in the State of Virginia, and for other purposes, with Senate amendments, disagree to the Senate amendments, and ask for a conference.

The Clerk read the title of the bill.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. COLTON, SMITH of Idaho, and EVANS of Montana.

BOISE NATIONAL FOREST

Mr. COLTON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 4189) to add certain lands to the Boise National Forest, with Senate amendments, disagree to the Senate amendments, and ask for a conference.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Utah? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. COLTON, SMITH of Idaho, and EVANS of Montana.

ADDITIONAL JUSTICES, SUPREME COURT OF THE DISTRICT OF COLUMBIA

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent to take from the Speaker's table and immediately consider the bill (S. 2371) providing for the appointment of two additional justices of the Supreme Court of the District of Columbia, a similar bill having been reported by the Judiciary Committee of the House.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the President is authorized to appoint, by and with the advice and consent of the Senate, two additional justices of the Supreme Court of the District of Columbia, who shall have the same tenure of office, pay, and emoluments, powers, and duties as the present justices of that court.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. GRAHAM]?

Mr. GARNER. Mr. Speaker, reserving the right to object, as I understand it, this is a bill that has been unanimously reported by the Judiciary Committee of the House?

Mr. GRAHAM. Yes.

Mr. GARNER. For my own personal information, and I think for the information of the House, I would like to ask the gentleman from Pennsylvania to have his clerk or some one in his office prepare a statement showing the judicial machinery in the District of Columbia and compare it with the judicial machinery in the various cities of the country of comparable population. I have been told, and told on what I consider good authority, that there is a greater expense in the District of

Columbia, in proportion to population, for the administration of justice than in any other portion of the United States. So I would ask the gentleman to have his clerk or some one in his office make an analysis of that, so that the House may have the benefit of the information.

Mr. GRAHAM. I will be glad to do so.

Mr. STAFFORD. Mr. Speaker, under a reservation of objection I would like to inquire of the distinguished chairman of the Judiciary Committee as to whether this court has not been relieved of some of its jurisdiction since we conferred the right of patent appeals on the Court of Customs and Patent Appeals?

Mr. GRAHAM. Not appreciably. The Attorney General went in person to ask for the passage of this bill before the Senate committee, as he did before our committee. There has been a great deal of additional work put on these judges.

Mr. BLANTON. Mr. Speaker, reserving the right to object, has the gentleman inquired as to the time at which these judges meet and open court in the morning, the time they take for lunch, the time they adjourn in the afternoon, and the time they take for summer vacations? If the gentleman would look that up, he would find that if they would work just a little more they would not need these two other judges.

Mr. SIMMONS. Mr. Speaker, I reserve the right to object in order that I may make a brief statement in answer to the gentleman from Texas. I had a check made during the winter on that matter. It was found that the judges of the present supreme court were spending the minimum amount of time that it was possible to spend in actual trial work. As the result of that check-up, however, I have been assured by the local bar association and likewise been assured by the judges that there will be an effort made to speed up and extend the hours of actual trial work in the trial courts of Washington.

Likewise, a survey is to be made, and in the deficiency bill reported the other day there is carried an item of \$2,500 to enable a commission to go to other cities comparable to Washington and study their court set-up. They have an obsolete plan here, an obsolete way of bringing cases to trial, and an effort is to be made to see if they can not bring the system up to date and modernize it. Since the judges are willing to undertake that, and since the bar association is willing to help, I feel that Congress should authorize these two additional trial judges. The probable maximum cost will be about \$20,000 a year per judge, and that is probably the cheapest service the District gets from any of its servants.

Mr. STAFFORD. Mr. Speaker, as I understand it, this is not a bill providing additional judges for a trial court?

Mr. TILSON. Yes; because the supreme court is the trial court in the District of Columbia.

Mr. STAFFORD. Mr. Speaker, may we have the title of the bill again reported?

The SPEAKER. Without objection the Clerk will again report the title of the bill.

There was no objection.

The Clerk again reported the title of the bill.

Mr. STAFFORD. Mr. Speaker, I was under a misapprehension. My remarks did not apply to this court. I was under the impression that these additional judges were for the supreme court of appeals. I have no objection to an increased number of judges for the trial court.

Mr. BLANTON. Mr. Speaker, further reserving the right to object, the trial judges in the States meet and open court at 9 o'clock. Why can not the judges in the District of Columbia meet at 9 o'clock? Why do they have to wait until 10 o'clock or 10:30 o'clock to open their court? If they would meet at 9 o'clock and give the people of the District a real day's work in court you would not need to have as many judges as you have now.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

A similar House bill was laid on the table.

#### ORDER OF BUSINESS

Mr. GARNER. I want to ask the gentleman from Connecticut, acting on the suggestion of some Members, when he expects to have another Private Calendar day?

Mr. TILSON. Certainly next Friday.

Mr. GARNER. Next Friday is a long way off, and let me say to the gentleman from Connecticut, if I may, an examination of this calendar shows it will take four full days, compared with to-day, to reach the end of it. The gentleman has

assured the House of Representatives repeatedly that he expected to have the entire Private Calendar called before we adjourned the Congress.

Mr. TILSON. I said bills reported before June 1, as the gentleman will recall.

Mr. GARNER. Does the gentleman expect to do that?

Mr. TILSON. I shall make every effort in that direction and shall ask for night sessions, if it becomes necessary, to do it.

Mr. GARNER. The 12 or 15 men here are the ones who pass on these bills. Why does not the gentleman have a night session, if it is agreeable to these gentlemen, and call this calendar? I think it is an injustice to the Members who have bills on this calendar to at least not have their bills called, with an opportunity given to consider them.

Mr. TILSON. Let one of those gentlemen speak for himself.

Mr. GARNER. I understand the position of the gentleman from Mississippi, and it is a proper one. The gentleman says he can not undertake to examine more than 100 bills, but I think maybe the gentleman from Mississippi—

Mr. TILSON (interposing). He might speed up a little.

Mr. GARNER. I think the gentleman would be willing to give more attention to it in order to accommodate the membership of the House and perhaps get the number up to 200 bills.

Mr. COLLINS. I will work two nights next week if necessary.

Mr. TILSON. If necessary, I shall ask for two night sessions next week. If there is any indication that we are to adjourn soon, I shall ask for night sessions.

Mr. STAFFORD. And not otherwise.

Mr. HASTINGS. Next Monday is Consent Calendar day.

Mr. TILSON. Yes; next Monday is Consent Calendar day.

Mr. STAFFORD. Does not the gentleman believe it is far more important to go through the Consent Calendar, composed of public bills, than to consider these private bills, in view of the fact that the committees in the other body have decided not to pass upon these private bills?

Mr. TILSON. I think the Consent Calendar should be called all the way through, and undoubtedly it will be. I also think it quite important—

Mr. COLLINS. We are pretty well up with the Consent Calendar.

Mr. TILSON. I also think there should be an opportunity to call the Private Calendar I have been insisting upon this and shall continue to do so.

Mr. EDWARDS. I think the RECORD ought to show that while we appreciate the work of these faithful gentlemen who look up these bills, there are others of us here who will be pleased to take their places if they were willing to yield them.

Mr. STAFFORD. The proffer of the gentleman from Georgia comes a little late, when the clock is striking 11:59.

Mr. O'CONNOR of Louisiana. Would it be convenient and agreeable to the majority leader, in view of the status of the Couzens resolution, to say whether or not there is any probability of its being passed by the House before we adjourn? As the gentleman knows, it is of the greatest importance to the railroad workers and the people generally of the United States.

Mr. TILSON. It is impossible for me to state; but, as I understand, the committee is now actively engaged in holding hearings. Another hearing is to be had to-morrow, so it seems to me there can be no complaint made as to the present status of that bill.

Mr. O'CONNOR of Louisiana. I am not complaining; I am merely interrogating the gentleman in order to get the information, which he is able to give by virtue of his position as the majority leader of this House. He can tell us, if anybody can do so, whether or not we are to have this resolution enacted into law at this session.

Mr. TILSON. The committee is now holding hearings looking to the bringing of the bill before the House.

#### APPOINTMENT OF ADDITIONAL JUSTICES OF THE COURT OF APPEALS OF THE DISTRICT OF COLUMBIA

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent for the present consideration of the Senate bill (S. 3939) to authorize the appointment of two additional justices of the Court of Appeals of the District of Columbia.

The Clerk read the Senate bill, as follows:

*Be it enacted, etc.,* That the President is authorized to appoint, by and with the advice and consent of the Senate, two additional justices of the Court of Appeals of the District of Columbia, who shall have the same tenure of office, pay and emoluments, powers, and duties as provided by law for the justices of said court.

The SPEAKER. Is there objection?

Mr. STAFFORD. Reserving the right to object, this is the court I had in mind when I made the inquiries on the former

bill. I want to inquire whether the work of the court had not been reduced by a transfer of some jurisdiction—like the appeals in patent cases from this court to the Court of Customs and Patent Appeals?

As I regard this court it is rather an honorary gentleman's court of the District. Trial courts are, I know, burdened with cases, but this court has an appellate jurisdiction of certain cases, and from the statement of the matter before the committee I did not think that there was any real, urgent, pressing necessity requiring the appointment of two additional judges, unless some judge had become an invalid or some judges had taken more time than they should in literary work or oratorical diversion.

Mr. GRAHAM. The report gives a complete statement of the condition of the record and the necessity there is apparent for two additional judges.

Mr. STAFFORD. What is the status of the business of the court now? I recognize the growing jurisdiction in trial courts, and the necessity of increasing the number of judges to take care of the growing business. But my acquaintance of the work in this court I did not think was so pressing as to require two additional judges.

Mr. DYER. Let me say that in addition to the appellate cases in the supreme court they have the tax-appeal cases, the radio cases, the patent cases for trial—that is, patent cases contested. This court has been in existence many years with only three judges, and they have not had any increase. They have the hardest worked court in this part of the country.

Mr. STAFFORD. Can the gentleman give the present status of their work?

Mr. SIMMONS. If the gentleman from Wisconsin will yield—

Mr. STAFFORD. I shall be glad to have the gentleman give us any first-hand information that he has.

Mr. SIMMONS. I have not made a detailed study of it, but I have been assured by Mr. Bride, corporation counsel, and Mr. Adkins, representing the bar association and now associate justice of the supreme court, that these two additional judges are badly needed. The business of the appellate court has increased largely during the last few years. Then, one member of the court is rather poor in health, and these new judges are needed as much as the two judges in the other court. I have not gone into the details, but I accept their statements as facts.

Mr. MICHENER. Mr. Speaker, these judges are doing exceptionally laborious work. I do not think anyone finds any fault with the hours these men work and the number of decisions they render each year. It is true that when the patent jurisdiction was taken from this court and given to the other court it was felt that this would remedy conditions, but even under present conditions the cases have greatly increased instead of diminished. I can assure the gentleman that the committee gave very careful consideration to this matter and was thoroughly convinced that these additional judges should be authorized. The Attorney General, the Department of Justice, and everyone having knowledge of the facts have recommended that these additional judges be provided for.

Mr. TILSON. And is it not a fact that a larger bench of judges is needed in order that there may be more judges to write the opinions, they have increased so much.

Mr. GRAHAM. Yes; that is true.

The SPEAKER. Is there objection to the consideration of the bill.

There was no objection.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

A similar House bill was laid on the table.

JAMES C. BURKE

Mr. CRAIL. Mr. Speaker, I ask unanimous consent to return to Private Calendar No. 596, H. R. 11212, the James C. Burke bill.

The SPEAKER. Is there objection?

Mr. COLLINS. Reserving the right to object, the gentleman is going to offer the amendments in the form agreed upon?

Mr. CRAIL. Yes.

Mr. BLANTON. What is the bill?

The SPEAKER. The Clerk will report the title of the bill. The Clerk read as follows:

A bill (H. R. 11212) to recognize the high public service rendered by James C. Burke in voluntarily submitting himself for a test in an effort to discover the cause and means of transmission of malarial fever.

Mr. GARNER. This is a bill that was called to-day and passed over to-day?

Mr. CRAIL. Yes.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

Mr. CHINDBLOM. Mr. Speaker, I ask unanimous consent that the reading of the bill be dispensed with, as it has been read once this afternoon, and that the Clerk report the amendments.

The SPEAKER. Without objection, the Clerk will report the amendments.

The Clerk read as follows:

Amendments offered by Mr. CRAIL: Page 1, line 3, after the word "that" at the beginning of line 3, strike out the words "That in special recognition of the high public service rendered and," and insert in lieu thereof the words "Because of."

Page 1, line 5, strike out the words "in the interest of humanity and science," and after the words "as a" in line 5, page 1, strike out the word "voluntary."

Page 1, line 7, after the word "island," strike out the words "The Secretary of the Navy be and he is hereby authorized and directed to publish annually in the Navy Register a roll of honor on which shall be carried the name of James C. Burke," and all matter down to and including the word "and" in line 12, page 2, so that as amended the bill will read:

"Be it enacted, etc., That because of the disabilities contracted by James C. Burke as a subject for the experiments during the malarial fever investigations in the Philippine Islands, there is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated, \$1,500 annually, or so much thereof as may be necessary, in order to pay to the said James C. Burke during the remainder of his natural life the sum of \$125 per month, and such amount shall be in lieu of any and all pensions authorized by law for him."

The SPEAKER. The question is on agreeing to the amendments.

The amendments were agreed to.

The bill, as amended, was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

The title was amended to read: "A bill to authorize a pension to James C. Burke."

#### STABILIZATION OF EMPLOYMENT AND THE CREATION OF A FEDERAL EMPLOYMENT BUREAU

Mr. WELCH of California. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting therein a statement made by William Green, president of the American Federation of Labor, before the Committee on the Judiciary of the House of Representatives on bills providing for the stabilization of employment and the creation of a Federal employment bureau.

The SPEAKER. Is there objection?

Mr. DYER. Mr. Speaker, all these hearings will be printed for the benefit of the House, but if the gentleman from California wants this in addition, in view of the fact that it is Mr. Green, the President of the American Federation of Labor, I shall not object.

The SPEAKER. Is there objection?

There was no objection.

The statement is as follows:

#### PRESENT UNEMPLOYMENT IN TRADE-UNIONS

Unemployment still remains at as high a level as last January—20 per cent, only 2 per cent less than the peak. Progress in employment is highly unsatisfactory. We estimate that 3,600,000 wage earners were out of employment in the month of May.

Reports from trade-unions in May show that there are still as many out of work as in January. In both previous years, 1928 and 1929, the situation was clearing rapidly by May, and at least 27 per cent of those out of work in January were back at their jobs again.

The improvement from April to May this year was very slight. Revised figures show that 21 per cent of union members were out of work in April. In May 20 per cent were still unemployed. After the crisis of 1928, the improvement from April to May was three times as great as this year, and the change from March to May five times as great.

Building-trades men are the only trade group showing any improvement. Ten per cent of those out of work in April have found employment, but this is a very small improvement, considering the large number seeking work. Thirty-six per cent are still unemployed. After the crisis of 1928, the improvement for building-trades men from April to May was more than twice as great. In metal trades, the number

unemployed is actually increasing. Twenty per cent are now out of work, four times as many as at this time last year. The dull condition of the metal industries is making it harder than ever for members to find work. Unemployment has actually increased from 15 per cent in January to 20 per cent in May, when employment is usually improving at this season of the year. In printing 6 per cent are still out of work, an unprecedented number, and twice as many as at this time last year.

Unemployment by trades<sup>1</sup> (per cent)

Year	All trades	Building trades	Printing trades	Metal trades	All other trades
<b>1928</b>					
January	18	36	4	18	-----
February	18	39	5	16	-----
March	18	38	5	13	-----
April	16	32	5	12	-----
May	13	25	4	12	-----
June	11	22	4	10	-----
July	12	24	5	13	-----
August	9	19	5	9	-----
September	10	22	5	8	-----
October	9	18	5	8	-----
November	10	21	4	7	-----
December	13	23	3	7	-----
<b>1929</b>					
January	15	30	4	8	-----
February	15	33	5	8	-----
March	14	34	5	7	-----
April	12	29	4	6	-----
May	11	26	3	5	-----
June	9	19	3	5	-----
July	9	16	4	6	-----
August	9	18	4	7	-----
September	10	21	3	7	-----
October	11	22	4	7	-----
November	12	23	4	8	-----
December	16	32	4	11	10
<b>1930</b>					
January	20	38	5	15	12
February	22	43	5	18	13
March	21	41	6	18	13
April	21	40	6	19	12
May <sup>2</sup>	20	36	6	20	13

<sup>1</sup> For an explanation of the collection and computation of the figures, see March, 1928, American Federationist.

<sup>2</sup> Preliminary.

<sup>3</sup> Revised

#### Unemployment in cities

PER CENT OF UNION MEMBERS UNEMPLOYED IN IDENTICAL UNIONS

	All trades		Building trades		All other trades	
	April, 1930	May, 1930	April, 1930	May, 1930	April, 1930	May, 1930
Atlanta, Ga.	13	10	49	34	5	4
Baltimore, Md.	18	16	29	28	7	5
Birmingham, Ala.	19	15	53	34	8	8
Boston, Mass.	24	27	39	46	10	11
Buffalo, N. Y.	23	20	36	32	19	15
Chicago, Ill.	24	24	50	48	10	10
Cincinnati, Ohio	18	21	42	40	5	10
Cleveland, Ohio	22	20	32	28	12	12
Denver, Colo.	28	23	43	29	21	20
Detroit, Mich.	27	24	45	43	15	13
Jersey City, N. J.	26	23	35	34	21	18
Los Angeles, Calif.	21	21	36	36	16	17
Milwaukee, Wis.	14	12	37	29	5	5
Minneapolis, Minn.	18	15	36	27	9	8
New York, N. Y.	24	21	40	32	15	5
Omaha, Nebr.	11	11	23	27	7	15
Paterson, N. J.	31	25	50	35	15	16
Philadelphia, Pa.	26	27	39	35	22	24
Pittsburgh, Pa.	18	17	35	31	8	8
San Antonio, Tex.	19	13	62	41	4	4
San Francisco, Calif.	15	12	31	26	13	10
St. Louis, Mo.	13	13	35	31	7	8
Seattle, Wash.	13	13	28	27	7	6
Washington, D. C.	10	10	28	29	3	3

#### SALES CONDITION PRODUCTION

Industries are beginning to realize that sales policies condition profits equally with production economies. Salesmanship and markets are essential to satisfactory disposal of articles on the market.

Wage earners have been stating in emphatic terms that they would like to live better and if they had the money there would be no surplus of bathtubs, shoes, dentists' services, books, automobiles, good clothing. Higher wage rates and more stable employment would increase wage earners' incomes so that they might buy those things they want and need.

There is at our very doors a huge potential market for American products which should be used to turn the tide of business upward toward prosperity.

Over 7,000,000 families in the United States have no automobile; about 20,000,000 have no adequate radio set. In our cities alone, with-

out counting farm population, there were in 1928 over 4,000,000 families who had no bathtubs in their homes, and over 3,000,000 who had not even a kitchen sink with running water, and probably no plumbing of any kind in their houses. Over 13,000,000 families in our cities have no telephones; over 4,000,000 live in homes not wired with electricity.

About 5,000,000 families in America to-day are living below the minimum of health and efficiency level; they need furniture, clothing, food, better housing. And the 4,500,000 who have barely enough to support themselves at a minimum of health level are only too eager to raise their standard of living by buying industrial products. All these are eager to be customers of our industries.

Take the hosiery industry, for instance, which is now suffering from overproduction. It would not have the least difficulty in selling its product if the thousands of women who want silk stockings could buy enough to satisfy their needs. The cotton industry would not be calling for drastic curtailment if wage earners could buy all the cotton goods they need for clothes and household supplies. Automobile manufacturers could keep on expanding production instead of reducing if the 7,000,000 families who have no cars were able to buy. And so with other industries.

Here is an immense potential market for our goods. Developing this market will mean higher living standards for thousands who have not yet shared in American prosperity. It will mean human progress, along with industrial progress; the creation of better homes, happier families, a higher quality of citizenship, greater opportunity to develop the fine human qualities latent in thousands of our underprivileged citizens.

The market of the future is with the wage earners. Mass production calls for mass buying, and our problem is to make it possible for the millions who are not yet customers to buy according to their needs. How can their buying power be financed?

S. 3059

The American Federation of Labor has repeatedly indorsed the principle of deferred programs for construction of public works ready to be initiated when there is need to meet unemployment rising with cyclical business depressions. Such programs would provide employment for many and would stimulate industries furnishing the materials for construction and indirectly aid other industries. Initiation of public construction undertakings would check or retard depression forces. Such a proposal has been before Congress a number of times.

Although the principle has been discussed for years and generally approved, the depression last year came upon us without provisions for initiating local or national programs.

During the severe unemployment crisis of 1914-15 and 1921, programs of construction of public works were launched after depression had developed and unemployment was serious.

The President's Unemployment Conference of 1921 achieved the formulation of a coordinated plan for dealing with unemployment and crystallized the proposal to anticipate cyclical unemployment through deferred plans and the machinery to initiate their execution. We realize that not all public works can be deferred to serve as a balance wheel to industry and that cyclical unemployment must look for relief through the speeding up of construction undertakings already under way.

The measure now before this committee would provide a Federal agency to be charged with the responsibility of providing employment during periods of business depression. The American Federation of Labor wholeheartedly indorses it.

#### S. 3060—NATIONAL EMPLOYMENT SYSTEM

The most constructive aid that can be given the unemployed is to help them to find jobs. This service can be done efficiently through a national organization. At present it is left to local undertakings or private initiative. A privately operated employment service is managed to bring in profits; a worker's misfortune or necessity is its opportunity. When a worker's finances are at low ebb he must pay a fee for a job.

Losing employment is often due to no fault of the worker, but to the needs of industry or to social or scientific progress. The consequences of unemployment are felt in interdependent industries and markets. On the other hand all society benefits when workers prosper. To tell workers where they can get jobs for which they are suited, seems the obvious thing to do. Industries could be served efficiently and quickly by a national employment service. Such a service would be a boon to workers.

The American Federation of Labor heartily indorses the bill before the committee providing for a national service with the cooperation of the various States.

Such a service would meet the normal needs of industry and workers as well as help in meeting emergency situations. An adequate national system of employment services must establish the standards and practices to be followed in local offices.

In order that this service may have the confidence of industry and labor, there should be understanding and approval of policies and decisions by those directly concerned. This sort of confidence can come

only from participation in policy making. There should be, therefore, an advisory council in which labor and industry should have representation.

In addition to workers looking for new jobs there are workers with social handicaps, such as the older worker and workers displaced by technological changes.

We hear of many industries that refuse employment to workers past certain age limits and the plight of many of these persons who must work to live is truly pitiable. As a nation we should make some effort to help these workers to find a way to self support, for middle-aged workers denied employment merely because of age, augment the ranks of the unemployed. There should be job analysis to establish job requirements and to find types of work for which older members are suited. Experience and responsibility are of special value in some kinds of work.

#### TECHNOLOGICAL UNEMPLOYMENT

Technological unemployment is no new thing, but the rate at which it has been developing in the past 10 years makes it a special problem.

A wage earner must have a job in order to meet his living expenses. As his reserve margins are small, loss of his job is the shadow of the great fear that is the background of labor thinking. It is bad to lose a job, but it is a catastrophe to lose one's trade skill. When craft skill is "transferred to a machine," the craftsman is industrially bankrupt. Craft skill that was an investment of a lifetime of work goes to the industrial scrap heap when scientists find new processes or inventors produce new machines. Their trades are gone, and because workers must live, they seek jobs in other callings—often at lower incomes and with consequent lower standards of living.

On the other hand, technical progress means more things at lower prices and consequently more physical comforts and greater ease of living for greater numbers of people. Technical progress is the means to higher material civilization. Progress comes from change. Change means dislocation. It is a sad commentary that individual wage earners have paid the social costs of technological progress in industry.

What thought has been given to musicians displaced by music reproductions, to the art of the actor forgotten in the latest movietone? To the Morse operator displaced by the teletype, to the steel worker displaced by a new process, to the carpenter watching a house assembled by units, to the printer turned out by the teletypesetter. Such workers in thousands have been turned out without jobs and without the possibility of future employment in the craft in which they have invested their all.

Here are a few of the changes which have made jobs scarce: Take, for instance, the manufacture of electric-light bulbs. In 1918 it took one man a whole day to make 40 electric-light bulbs. The next year came a machine that made 73,000 bulbs in 24 hours. Each of these machines threw 992 men out of work. In the boot and shoe industry 100 machines take the place of 25,000 men. In the manufacture of razor blades one man can now turn out 32,000 blades in the same time needed for 500 in 1913. In automobile factories similar changes have taken place. In a Middle Western State to-day a huge machine turns out completed automobile frames almost untouched by human hand. About 200 men are needed to supervise this vast machine, and they turn out between 7,000 and 9,000 frames a day. Compare this with a well-known automobile plant in central Europe where the same number of men are making automobile frames by older methods. They turn out 35 frames a day. In steel blast furnaces 7 men now do the work of 60 in casting pig iron, and even in the last two years, since 1927 the improvements in technical processes have reduced the necessary work force in the Bessemer process by 24 per cent. In machine shops 1 man with a "gang" of semiautomatic machines replaces 25 skilled mechanics. Thirty workers with 10 machines can now do the work of 240 in the Sun Tube Corporation machine shop. A new machine installed by the De Forrest Radio Co. will turn out 2,000 tubes an hour with 3 operatives as against 150 tubes from the old machine with 40 operators.

What happens to these displaced workers? Take the record for all manufacturing industry in the United States. In the decade from 1899 to 1909 production increased 59 per cent. Improved machinery played some part in this increase, but it was largely made possible by taking on more wage earners, for the number of wage earners employed by our factories increased 40 per cent from 1899 to 1909—that is, 1,903,000 more wage earners were taken on to bring about this 59 per cent increase in production. Similarly in the decade from 1909 to 1919. Production increased 35 per cent and employment increased 38 per cent. Increased production was made possible by employing 2,481,000 more wage earners. This meant jobs for nearly 2,500,000 more men and women.

Now in the decade from 1919 to 1929 developments took an entirely different turn. Production increased as before, so that our plants were turning out 42 per cent more in 1929 than in 1919. But this increase was made possible without any increase in the number of wage earners employed. Employment actually decreased 7 per cent from 1919 to 1929. Forty-two per cent more goods were produced with 585,000 fewer workers. This general increase was made possible by the introduction of new machinery and modern methods of manufacture. Increasing

production, instead of creating more work, actually took away 585,000 jobs.

The producing power of the average wage earner increased 11 per cent in the 20 years from 1899 to 1919, but in the short space of 10 years from 1919 to 1929 (half as long) it increased 53 per cent.

These great changes have so limited the number of wage earners needed in our manufacturing industries that men and women are forced to walk the streets looking for work. To be sure some jobs are created in the service industries, where employment has been increasing in the last decade, but these are not nearly enough to make up for the change in manufacturing.

Although technological unemployment is no new story, the rate at which technical progress has come in the past 25 years makes displacement of workers a very different problem. The rapidity and the scope of scientific progress has made technical procedure practically fluid. The period of recent economic prosperity made it possible for industries to install the newest machinery and the newest processes without hesitation. Abundance of capital facilitated the development of new industries.

These new industries have helped to absorb workers released by older industries. But some of the new industries, particularly automobiles, are most unstable, and have by far the highest fluctuation in pay rolls of all industries.

During June of 1929 industrial production in the United States reached a new record peak. Even this stupendous output failed to supply employment to all seeking work. The records of the American Federation of Labor showed 9 per cent unemployment among trade-union workers during that period of record-breaking production. In the summer of 1927 the federation had been sensitive to recurring reports of unemployment from all parts of the country and instituted a system of monthly reports from the local unions in 24 industrial centers. The summary of these records is an interesting document. We are satisfied that the sustained high rate reflects among other forces unemployment due to mechanization of industry.

Nearly one-third of the wage earners in the United States depend on manufacturing industries for their jobs. Our wage-earner population is increasing, while jobs in manufacturing industry decrease. Since 1919 the normal increase in population has brought over five and a half millions more persons who want work as wage earners, while jobs in manufacturing have decreased by 585,000. Thus we need more than 6,000,000 new jobs.

The "newer" industries, such as gasoline stations and automobile-repair shops, barber shops and beauty parlors, hotels and restaurants, have given work to some of this army of job seekers, for employment has been increasing in these lines. Professional work has also been increasing; there are more teachers, doctors, dentists, oculists. But all these new industries put together have not been nearly enough to take care of the 6,000,000 who want work. A recent study of 754 persons laid off from manufacturing plants show that only 15 per cent were able to find work in these "newer" industries.

Also, there is the problem of job adjustment. For a man laid off in a steel mill where new machinery has just been installed can not go to-morrow and take up work as a barber, and he certainly is not prepared for the professions. Even in hotel and restaurant work and in gasoline stations, where less training is required, there are new skills to be learned, and men with experience are likely to have preference.

The problem facing these workers who are laid off from their job is well illustrated by the above-mentioned study, covering 754 wage earners laid off from factories in 3 American cities in 1928. The study showed that it is by no means easy to find work. Of those who were able to find employment, only 11.5 per cent were able to find a job in less than a month's time. Over 60 per cent—that is, nearly two-thirds—had been out of work for more than 3 months, and 32 per cent, nearly one-third, were out for 6 months or more. Thirty-five persons, or 5 per cent, had been out for a year.

Most of these wage earners had to support themselves and their families by drawing out their savings accounts during this long period of unemployment. Less than one-third (only 31 per cent) were able to find temporary employment of any sort. This meant serious privation and often permanently lowered living standards for their families. Children at school have to go to work at times like these; boarders must be taken in, often overcrowding the family; debts are run up at the grocer's and other stores; and savings accounts, often put by through years of sacrifice in order to give the children a chance, are drawn out and the children never have the start in life that would enable them to make something of their abilities. The study shows that of the men who were able to find new work, nearly half (48 per cent) had to take a lower salary, meaning a further reduction in the standard of living, a further sacrifice for father and mother, and more lost opportunities for the children.

The problem of adjustment, of learning new skills in new jobs is also well brought out by this study. Less than one-tenth of those wage earners who were laid off were able to get back again to their old jobs. Only one-third of those who found work were able even to secure employment in the same industry. For most of them (54 per cent) the

lay-off meant a complete change of work, so that old skills, learned often through years of training and experience, and bringing high pay, were useless; and they had to begin all over again at the bottom and learn a new trade at lower pay. Trained cutters with years of experience in the clothing industries found work as attendants at gasoline stations, watchmen in warehouses, clerks in meat markets. A machinist was selling hosiery for a mail-order house; a skilled lathe operator was running a mixer in a cement brick plant; a licensed stationary engineer took work as a caretaker in a public park; a skilled welding-machine operator became a farm hand. And so the story goes.

For the older workers the problem of finding new work was far more difficult than the younger. Few of the men over 45 were able to find work, and most of them were out for long periods. The price of our industrial progress is too often paid by the man over 45, who has reached just the age when his children are in their teens and his income counts most for their future.

Two very diverse policies accompany mechanization of industry. The time of the employed worker has become of much greater value and every effort is made to increase his productivity. The displaced worker is as ruthlessly scrapped as an out-of-date machine—even with less concern, for every well-managed institution has an amortization fund to provide against obsolete machines.

Men who have given years of their lives to producing the products upon which the reputation of the industry rests, are discharged without any consideration for what they have invested in the industry. Neither industries nor society has worked out a plan for meeting either separate or joint indebtedness to workers who lose that society may gain.

A dismissal wage, to help absorb the "shock" is paid by some few industries, but this is not adequate to meet the problem of readjustment. Organized labor is spokesman for these victims of the progress of industrial technology. We urge the following proposals for meeting the needs of these workless individuals:

#### LABOR'S PROGRAM

Shorter daily and weekly work periods in order that more workers shall be employed and all shall have leisure to enjoy the products of industry.

Higher incomes for wage earners in order that this vast potential market may be able through its purchases to stimulate industries to their full capacity.

A system of Federal employment agencies for the workless so that they may have most efficient services in finding all possible work opportunities.

A vocational guidance service connected with employment offices to help workers whose crafts are displaced by new production methods, to equip themselves for positions under new industrial conditions.

#### CONSTITUTIONALITY OF SENATE BILL 3060

The above-mentioned bill, now under consideration by this committee, has two aspects, one sociological and the other legal or constitutional.

The two principal attacks upon the bill have been made by Senator BINGHAM in a public address on June 7, 1930, a summary of which address is to be found in the *United States Daily*, of Washington, D. C., June 8, 1930, and the other is a brief filed by the National Association of Manufacturers with the Senate Committee on Commerce.

Senator BINGHAM attacks the bill on four principal grounds, namely:

1. Because it seeks to seduce or bribe the States to surrender a vital power of self-government, etc.
2. Because it proceeds to coerce the State into acceptance of assistance from the United States and dominant Federal control.
3. That the policy of the bill is in contradiction of the recommendations of the President's conference of unemployment of 1921.
4. That the bill is in contradiction of the recommendations of the representative conference on unemployment and undertakes to compel rather than to persuade the cooperation of the States.

Further Senator BINGHAM is quoted as saying:

"We are continually trespassing upon the rights of the States and are centralizing the authority that belongs to them in agencies of the National Government."

In its brief above referred to the National Association of Manufacturers attacks the bill on some of the grounds stated by Senator BINGHAM, but principally upon the ground that the bill is unconstitutional.

The statements of opposition voiced by Senator BINGHAM and others against the necessity of a centralized employment system, so far as the sociological phase of the bill is concerned and so far as relates to the necessity and demand for the enactment of the bill, appear to be fully answered by the testimony of Senator WAGNER and others who appeared before the Senate Committee on Commerce on March 18 and April 1, 1930, together with the statistics contained in the digest filed by Senator WAGNER in connection with his testimony before the Senate committee, and in the public address of Senator WAGNER, printed in the *CONGRESSIONAL RECORD* of May 27, 1930, as well as in the memorandum of Senator WAGNER in opposition to the above-mentioned brief of the National Manufacturers' Association.

It therefore remains only to discuss the constitutional questions raised by and the cases cited in the brief of the National Manufacturers' Association and to supplement the authorities cited in the last-mentioned memorandum of Senator WAGNER, who cites in support of the constitutionality of the bill the following:

*McGee v. Mathis* (4 Wall. 143-153; Federal Aid Legislation, by Prof. Charles K. Burdick, 8 Cornell Law Quarterly; and *Spending Power of Congress*, by Prof. Edward S. Corwin, 36 Harvard Law Review 548).

In considering the bill, "To provide for the establishment of a national employment system and for cooperation with the States in the promotion of such system, and for other purposes," it is important to ascertain:

First, whether the employment situation is a question of national importance.

Second, whether the employment situation, if found to be of national importance, is such as to justify and warrant legislation by Congress to establish an agency having for its purpose the bringing about of stabilized employment and to aid workers in obtaining employment.

Third, whether or not such legislation is constitutional.

That the employment situation is a matter of national importance is clear when we consider the situation now existing in England and the continental countries, the vast numbers of the unemployed in those countries, the lengths to which England has been compelled to go in an endeavor to provide for the existing conditions, and the vast amount of money she has been compelled to appropriate and expend in an endeavor to ameliorate the circumstances of the unemployed.

It is not necessary to cite any facts to stress the importance of this question to the United States and the States, and the necessity and demand for remedial legislation, other than those set out in the testimony before the Senate committee and the public address and memorandum of Senator WAGNER, above referred to.

It must be admitted that the employment situation is one of national importance. Conditions of to-day have materially changed from those of years ago, and the employee can no longer limit himself to any one city, country, or State in seeking work for his livelihood; but must, if he is to secure employment, look from time to time to the country as a whole, and ascertain in what particular part of the country he can find employment.

The individual States have not undertaken to collaborate with their sister States and with the Federal Government to such an extent as to bring about a proper coordination for obtaining the best results from a national aspect. To accomplish this end there must be some center—that is, there must be some clearing house—and the best and only way to secure this is by Federal legislation establishing a Federal agency which shall cooperate with and aid the States in the endeavor to solve the all-important question of unemployment, so far as the individual States are willing to cooperate through their own legislatures.

The importance of the question of employment is admitted in the brief of the National Association of Manufacturers filed in opposition to the Senate bill 3060, and above referred to. This brief states, page 1, that the association and its members are "vitaly interested in employment problems, and, individually and in cooperation, are continually engaged in the study and exchange of information and experience for the purpose of securing a better regularization of employment."

The brief, therefore, concedes that the study of employment problems and the exchange of information and experience upon these problems are of importance. Can there be a more effective way of studying these problems and disseminating information and experience upon the same than by the United States Employment Service provided for in Senate bill 3060?

The above-mentioned brief of the National Manufacturers' Association contends (pp. 4 and 5) that the proposed Act is unconstitutional. To support this contention the cases of *Brazee v. Michigan* (241 U. S. 340), *Adams v. Tanner* (244 U. S. 594), *Ribnik v. McBride* (277 U. S. 354), *Frothingham v. Mellon* and *Massachusetts v. Mellon* (262 U. S. 447), *Chicago v. Tranbarger* (238 U. S. 77), and *Bailey v. Drexel Furniture Co.* (259 U. S. 20) are cited.

In the case of *Brazee v. Michigan*, *Brazee* procured a license to conduct an employment agency in Detroit, under act 301, public acts of Michigan, 1913, and was thereafter convicted upon a charge of violating its provisions by sending one seeking employment to an employer who had not applied for help. *Brazee* claimed the Michigan statute was invalid because it conflicted with both the State and Federal Constitutions.

The Supreme Court of Michigan sustained the Michigan statute, and the Supreme Court of the United States held that a State may require licenses for employment agencies and prescribe reasonable regulation in respect to them, to be enforced according to the legal discretion of a commissioner. The judgment of the lower court was affirmed and the constitutionality of the act with respect to the sections in question was upheld. The court did state that the provisions of the act in respect of fees were "plainly mischievous." The act in question in no way attempts to regulate private employment agencies nor to prescribe fees that the agency may charge.

This case is in fact an authority to the effect that Congress has the power to legislate on the question.

Another case cited in the brief of the association is *Ribnik v. McBride* (277 U. S. 354). The State of New Jersey passed an act to regulate employment agencies, which act required a license and also required that the applicant file with the commissioner of labor a schedule of fees. A schedule of proposed fees was filed, and the commissioner refused to grant a license upon the sole ground that the fees set out in the schedule were excessive. The question of the constitutionality of the act was involved. The Supreme Court of the United States, reversing the Court of Errors and Appeals of New Jersey, held that the provision regulating fees of private employment agencies was unconstitutional, ruling that the business of an employment agency is not affected with a public interest so as to enable the State to fix the charges to be made for the service rendered.

Mr. Justice Sanford concurred with the majority on the ground that he could not distinguish an earlier decision (273 U. S. 418), and Mr. Justice Stone delivered a vigorous dissenting opinion in which Mr. Justice Holmes and Mr. Justice Brandeis joined.

The present bill contains no similar provision, and there is not a word in the decision of the Supreme Court which would in any way indicate that Congress did not have the power to establish a Federal employment agency.

*Adams v. Tanner* (244 U. S. 594) is also cited in the brief of the association as an authority in support of its contention that the proposed act is unconstitutional. Appellants conducted in Spokane well-established employment agencies for securing employment for patrons who paid fees therefor. An act by the State of Washington was passed prohibiting charging employees fees for such service. Appellants filed a bill in equity in the United States district court to restrain the enforcement of the act, alleging it to be unconstitutional. The Supreme Court, on appeal, held the act violated the fourteenth amendment. The sole ground upon which the court based its conclusion was that the State did not have the power to prohibit private employment agencies from charging an employee a fee.

This question is not involved in the proposed legislation, and the case does not in any way suggest that such legislation as is now under consideration would be unconstitutional.

In the last-mentioned case Mr. Justice Brandeis delivered a very strong and illuminating dissenting opinion, in which Mr. Justice Holmes and Mr. Justice Clarke concurred. Mr. Justice McKenna also dissented.

Mr. Justice Brandeis reviewed the evils of private employment bureaus, the necessity of aid in solving the employment question by the Federal Government and reviewed the Federal legislation having for its purpose the solution of the larger problems of unemployment. He referred to the Immigration act of February 20, 1907 (34 Stat. 898), which created within the Bureau of Immigration and Naturalization a division of information charged with the duty of promoting "a beneficial distribution of aliens." The services rendered by this division included, among others, some commonly performed by employment agencies; it undertook to place aliens in positions of employment, but its operations were national in scope. He also referred to the act of March 4, 1913, creating the Department of Labor, which act resulted in the transfer of the Bureau of Immigration, including the division of information, to the department (37 Stat. 736).

Mr. Justice Brandeis stated, page 607: "By this transfer the scope of the division's work was enlarged to correspond with the broad powers of the Labor Department. These were declared by Congress to be 'to foster, promote, and develop the welfare of the wage earners of the United States, to improve their working conditions and to advance their opportunities for profitable employment.'"

The underlying principle of the sections of the above-mentioned acts is the same as the underlying principle of the proposed legislation, the only difference being that the proposed legislation affords a greater opportunity for service by the Federal Government in cooperation with the States.

The question of the constitutionality of legislation along the lines of the pending bill was not involved in the case; but the dissenting opinion of Mr. Justice Brandeis apparently anticipated further progress in legislation of this type and clearly and emphatically shows that such legislation is constitutional.

In the case of *Chicago & A. R. R. Co. v. Tranbarger* (238 U. S. 77), cited in the brief of the association, the Supreme Court had under consideration a statute of Missouri requiring railroads to open drains across and through its right of way and roadbed so as to form proper drainage. The property owner sued the railroad company for damages growing out of its failure to comply with this statute. The railroad defended upon the ground that the law was *ex post facto*, and also a violation of the provisions of the fourteenth amendment. The Supreme Court of the United States affirmed the Supreme Court of Missouri, holding the act to be valid and constitutional, stating the answer to the claim that the law was *ex post facto* to be that the law is not retroactive, but only becomes effective within three months after its passage. As to the constitutional question, the Supreme Court held that the State had the right under its police power to enact such legislation.

The question before the court in that case is totally different from any of the questions presented in the proposed legislation, and certainly is not an authority to support the unconstitutionality of the pending bill.

Not a single case cited in the brief supports its contention. Several of the cases, as above pointed out, and especially the *Frothingham* case, *infra*, show that the proposed legislation is constitutional.

*Commonwealth of Massachusetts v. Mellon* and *Frothingham v. Mellon* (262 U. S. 447) is also cited in the brief to support the contention that the proposed act is unconstitutional. The Supreme Court in this case had under consideration the maternity act (42 Stat. 224). The provisions of the maternity act, in so far as concerns the appropriation of money by Congress to be allocated to the States upon the acceptance of the benefits and compliance with the requirements by the States, are analogous with the provisions of the pending bill. It was contended in that case that the act was unconstitutional. The Supreme Court dismissed the appeal because of lack of jurisdiction and not upon the merits of the case. There are certain statements of the court which clearly indicate that the court, however, was of the opinion that the act was constitutional and which also clearly answer some of the contentions made in the brief of the association as to the proposed legislation. The court stated, page 480:

"Probably it would be sufficient to point out that the powers of the State are not invaded, since the statute imposes no obligation, but simply extends an option which the State is free to accept or reject."

At page 482 the court further stated:

"What, then, is the nature of the right of the State here asserted, and how is it affected by this statute? Reduced to its simplest terms, it is alleged that the statute constitutes an attempt to legislate outside the powers granted to Congress by the Constitution, and within the field of local powers exclusively reserved to the States. Nothing is added to the force or effect of this assertion by the further incidental allegations that the ulterior purpose of Congress thereby was to induce the States to yield a portion of their sovereign rights; that the burden of the appropriations falls unequally upon the several States; and that there is imposed upon the States an illegal and unconstitutional option either to yield to the Federal Government a part of their reserved rights, or lose their shares of the moneys appropriated."

"But what burden is imposed upon the States, unequally or otherwise? Certainly there is none, unless it be the burden of taxation, and that falls upon their inhabitants, who are within the taxing power of Congress as well as that of the States where they reside. Nor does the statute require the States to do or to yield anything. If Congress enacted it with the ulterior purpose of tempting them to yield, that purpose may be effectively frustrated by the simple expedient of not yielding."

"In the last analysis the complaint of the plaintiff State is brought to the naked contention that Congress has usurped the reserved powers of the several States by the mere enactment of the statute, though nothing has been done and nothing is to be done without their consent; and it is plain that that question, as it is thus presented, is political and not judicial in character, and therefore is not a matter which admits of the exercise of the judicial power."

No more complete and convincing answer can be made to the contentions of Senator BINGHAM and to the brief of the National Manufacturers' Association than the foregoing language of Mr. Justice Sutherland delivering the unanimous opinion of the Supreme Court.

The brief of the association also cites the case of *Bailey v. Drexel Furniture Co.* (259 U. S. 20), in which case the Supreme Court had under consideration the child labor tax law of February 24, 1919 (40 Stat. 1057-1138), which imposed a tax of 10 per cent of the net profits of the year upon an employer who knowingly employed any child within the age limits specified in the act. The Supreme Court held that the act was not a valid exercise by Congress of its power of taxation under Article I, section 8, of the Constitution, but was an unconstitutional regulation by the use of the so-called tax as a penalty for the employment of child labor in the States, and that this was in violation of the tenth amendment to the Constitution.

The act before the court in that case and the proposed legislation (Senate bill 3060) are totally different, and the decision of the court in that case does not suggest in any way whatsoever that legislation, as provided for in the proposed act, would be invalid. In that case the validity of the act was defended upon the ground that it was a mere excise tax levied by Congress under its power of taxation. The court held that it was not a taxing act but was in effect a prohibition against employing children below a certain age and the imposition of a penalty for violation of said prohibition.

Finally, it is confidently submitted that the pending bill is not only constitutional but that its enactment is a political and sociological necessity.

#### SENATE BILLS REFERRED

Bills, a joint resolution, and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and under the rule referred as follows:

S. 2498. An act to promote the better protection and highest public use of lands of the United States and adjacent lands

and waters in northern Minnesota for the production of forest products, and for other purposes; to the Committee on Public Lands.

S. 3614. An act to provide for the appointment of two additional district judges for the northern district of Illinois; to the Committee on the Judiciary.

S. J. Res. 190. Joint resolution authorizing the Postmaster General to accept the bid of the Mississippi Shipping Co. to carry mail between United States Gulf ports and the east coast of South America; to the Committee on Merchant Marine and Fisheries.

S. Con. Res. 23. Concurrent resolution favoring the designation and appropriate observance of American conservation week; to the Committee on the Judiciary.

#### ENROLLED BILLS SIGNED

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 692. An act for the relief of Ella E. Horner;

H. R. 827. An act for the relief of Homer C. Rayhill;

H. R. 885. An act for the relief of George F. Newhart, Clyde Hahn, and David McCormick;

H. R. 969. An act to amend section 118 of the Judicial Code to provide for the appointment of law clerks to United States circuit judges;

H. R. 972. An act to amend an act entitled "An act providing for the revision and printing of the index to the Federal Statutes," approved March 3, 1927;

H. R. 1499. An act for the relief of C. O. Crosby;

H. R. 2030. An act to authorize an appropriation for the purchase of land adjoining Fort Bliss, Tex.;

H. R. 3203. An act to authorize the city of Salina and the town of Redmond, State of Utah, to secure adequate supplies of water for municipal and domestic purposes through the development of subterranean water on certain public lands within said State;

H. R. 4020. An act to authorize the Secretary of the Interior to investigate and report to Congress on the advisability and practicability of establishing a national park to be known as the Upper Mississippi National Park in the States of Iowa, Illinois, Wisconsin, and Minnesota;

H. R. 4469. An act for the relief of Second Lieut. Burgo D. Gill;

H. R. 5190. An act to enable the Postmaster General to authorize the establishment of temporary or emergency star-route service from a date earlier than the date of the order requiring such service;

H. R. 6124. An act to provide for the reconstruction of the Army and Navy Hospital at Hot Springs, Ark.;

H. R. 6186. An act for the relief of Frank Storms;

H. R. 6651. An act for the relief of John Golombiewski;

H. R. 7299. An act for the relief of Hannah Odekirk;

H. R. 7464. An act for the relief of Robert R. Strehlow;

H. R. 7484. An act for the relief of Edward R. Egan;

H. R. 8591. An act for the relief of Henry Spight;

H. R. 8855. An act for the relief of John W. Bates;

H. R. 9169. An act for the relief of the successors of Luther Burbank;

H. R. 9198. An act to remove cloud as to title of lands at Fort Lytleton, S. C.;

H. R. 9300. An act to authorize the Postmaster General to hire vehicles from village delivery carriers;

H. R. 9425. An act to authorize the Secretary of War to donate a bronze cannon to the city of Martins Ferry, Ohio;

H. R. 10375. An act to provide for the retirement of disabled nurses of the Army and the Navy;

H. R. 10780. An act to transfer certain lands to the Ouachita National Forest, Ark.;

H. R. 11007. An act to amend the act of August 24, 1912 (ch. 389, par. 7, 37 Stat. 556; U. S. C., title 39, sec. 631), making appropriations for the Post Office Department for the fiscal year ending June 30, 1913;

H. R. 11082. An act granting a franking privilege to Helen H. Taft;

H. R. 11134. An act to amend section 91 of the act entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900, as amended;

H. R. 11273. An act to extend the times for commencing and completing the construction of a bridge across the Des Moines River at or near Croton, Iowa;

H. R. 11274. An act to amend section 305, chapter 8, title 28, of the United States Code, relative to the compilation and printing of the opinions of the Court of Customs and Patent Appeals;

H. R. 12440. An act providing certain exemption from taxation for Treasury bills;

H. J. Res. 289. Joint resolution providing for the participation of the United States in the celebration of the one hundred and fiftieth anniversary of the siege of Yorktown, Va., and the surrender of Lord Cornwallis, on October 19, 1781, and authorizing an appropriation to be used in connection with such celebration, and for other purposes; and

H. J. Res. 340. Joint resolution extending the time for the assessment, refund, and credit of income taxes for 1927 and 1928 in the case of married individuals having community income.

The SPEAKER also announced his signature to enrolled bills of the Senate of the following titles:

S. 174. An act to provide for the establishment of a branch home of the National Home for Disabled Volunteer Soldiers in one of the Southern States;

S. 465. An act to give war-time rank to retired officers and former officers of the Army, Navy, Marine Corps, and/or Coast Guard of the United States;

S. 1268. An act to extend the times for commencing and completing the construction of a bridge across the Wabash River at or near Vincennes, Ind.;

S. 1458. An act for the relief of the State of Florida;

S. 3810. An act to provide for the commemoration of the termination of the War between the States at Appomattox Court House, Va.;

S. 3965. An act to authorize the Secretary of War to grant an easement to the Wabash Railway Co. over the St. Charles rifle range, St. Louis County, Mo.;

S. 4046. An act authorizing the erection, maintenance, and use of a banking house upon the United States military reservation at Fort Lewis, Wash.;

S. 4157. An act to extend the times for commencing and completing a bridge across the Tennessee River at or near Chattanooga, Hamilton County, Tenn.;

S. 4196. An act to authorize the construction, maintenance, and operation of a bridge across the St. Francis River in Craighead County, Ark.;

S. 4269. An act authorizing the Commonwealth of Kentucky, by and through the State Highway Commission of Kentucky or the successors of said commission, to acquire, construct, maintain, and operate bridges within Kentucky and/or across boundary line streams of Kentucky; and

S. 4585. An act authorizing the State of Florida, through its highway department, to construct, maintain, and operate a free highway bridge across the Choctawhatchee River near Freeport, Fla.

#### BILLS PRESENTED TO THE PRESIDENT

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H. R. 692. An act for the relief of Ella E. Horner;

H. R. 827. An act for the relief of Homer C. Rayhill;

H. R. 885. An act for the relief of George F. Newhart, Clyde Hahn, and David McCormick;

H. R. 969. An act to amend section 118 of the Judicial Code to provide for the appointment of law clerks to United States circuit judges;

H. R. 972. An act to amend an act entitled "An act providing for the revision and printing of the index to the Federal Statutes," approved March 3, 1927;

H. R. 1499. An act for the relief of C. O. Crosby;

H. R. 2030. An act to authorize an appropriation for the purchase of land adjoining Fort Bliss, Tex.;

H. R. 3203. An act to authorize the city of Salina and the town of Redmond, State of Utah, to secure adequate supplies of water for municipal and domestic purposes through the development of subterranean water on certain public lands within said State;

H. R. 4020. An act to authorize the Secretary of the Interior to investigate and report to Congress on the advisability and practicability of establishing a national park to be known as the Upper Mississippi National Park, in the States of Iowa, Illinois, Wisconsin, and Minnesota;

H. R. 4469. An act for the relief of Second Lieut. Burgo D. Gill;

H. R. 5190. An act to enable the Postmaster General to authorize the establishment of temporary or emergency star-route service from a date earlier than the date of the order requiring such service;

H. R. 6124. An act to provide for the reconstruction of the Army and Navy Hospital at Hot Springs, Ark.;

H. R. 6186. An act for the relief of Frank Storms;

H. R. 6651. An act for the relief of John Golombiewski;

H. R. 7299. An act for the relief of Hannah Odekirk;  
 H. R. 7464. An act for the relief of Robert R. Strehlow;  
 H. R. 7484. An act for the relief of Edward R. Egan;  
 H. R. 8591. An act for the relief of Henry Spight;  
 H. R. 8855. An act for the relief of John W. Bates;  
 H. R. 9169. An act for the relief of the successors of Luther Burbank;

H. R. 9198. An act to remove cloud as to title of lands at Fort Lytleton, S. C.;

H. R. 9300. An act to authorize the Postmaster General to hire vehicles from village-delivery carriers;

H. R. 9425. An act to authorize the Secretary of War to donate a bronze cannon to the city of Martins Ferry, Ohio;

H. R. 10375. An act to provide for the retirement of disabled nurses of the Army and Navy;

H. R. 10780. An act to transfer certain lands to the Ouachita National Forest, Ark.;

H. R. 11007. An act to amend the act of August 24, 1912 (ch. 389, par. 7, 37 Stat. 556; U. S. C., title 39, sec. 631), making appropriations for the Post Office Department for the fiscal year ending June 30, 1913;

H. R. 11082. An act granting a franking privilege to Helen H. Taft;

H. R. 11134. An act to amend section 91 of the act entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900, as amended;

H. R. 11273. An act to extend the times for commencing and completing the construction of a bridge across the Des Moines River at or near Croton, Iowa;

H. R. 11274. An act to amend section 305, chapter 8, title 28, of the United States Code, relative to the compilation and printing of the opinions of the Court of Customs and Patent Appeals;

H. R. 12440. An act providing certain exemption from taxation for Treasury bills;

H. J. Res. 289. Joint resolution providing for the participation of the United States in the celebration of the one hundred and fiftieth anniversary of the siege of Yorktown, Va., and the surrender of Lord Cornwallis on October 19, 1781, and authorizing an appropriation to be used in connection with such celebration, and for other purposes; and

H. J. Res. 340. Joint resolution extending the time for the assessment, refund, and credit of income taxes for 1927 and 1928 in the case of married individuals having community income.

#### ADJOURNMENT

Mr. IRWIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 14 minutes p. m.) the House adjourned to meet to-morrow, Saturday, June 14, 1930, at 12 o'clock noon.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

548. A communication from the President of the United States, transmitting supplemental estimate of appropriation amounting to \$50,000 for the Department of Agriculture for the fiscal year 1930, to remain available until June 30, 1931, for an additional amount for taxonomy and interrelations of insects to enable the Secretary of Agriculture to purchase a collection of moths and butterflies collected and mounted by the late Dr. William Barnes, of Decatur, Ill. (H. Doc. No. 471); to the Committee on Appropriations and ordered to be printed.

549. A communication from the President of the United States, transmitting supplemental estimate of appropriations for the Department of State for the fiscal year 1930, to remain available until June 30, 1931, amounting to \$13,000, for expenses of participation by the United States in the Sixth Pan American Child Congress to be held at Lima, Peru, in July, 1930 (H. Doc. No. 472); to the Committee on Appropriations and ordered to be printed.

550. A communication from the President of the United States, transmitting supplemental estimate of appropriations for the Department of the Interior for the fiscal year 1930, \$3,500; and for the fiscal year 1931, \$171,000; amounting in all to \$174,500 (H. Doc. No. 473); to the Committee on Appropriations and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. PERKINS: Committee on Accounts. H. Res. 250. A resolution appropriating a sum not to exceed \$25,000 for the investigation of communist propaganda in the United States (Rept. No. 1891). Ordered to be printed.

Mr. McFADDEN: Committee on Banking and Currency. H. R. 12063. A bill to amend section 16 of the Federal farm loan act; with amendment (Rept. No. 1894). Referred to the House Calendar.

Mr. BLOOM: Committee on Foreign Affairs. S. 2414. An act authorizing the Government of the United States to participate in the international hygiene exhibition at Dresden, Germany, from May 6, 1930, to October 1, 1930, inclusive; with amendment (Rept. No. 1895). Referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Idaho: Committee on Irrigation and Reclamation. H. R. 11718. A bill to provide for the aiding of farmers in any State by the making of loans to drainage districts, levee districts, levee and drainage districts, counties, boards of supervisors and/or other political subdivisions and legal entities, and for other purposes; with amendment (Rept. No. 1896). Referred to the Committee of the Whole House on the state of the Union.

Mr. SNELL: Committee on Rules. H. Res. 253. A resolution providing for the consideration of the conference reports on H. R. 2667, the tariff bill; without amendment (Rept. No. 1897). Referred to the House Calendar.

Mr. VESTAL: Committee on Patents. H. R. 12549. A bill to amend and consolidate the acts respecting copyright and to permit the United States to enter the International Copyright Union; with amendment (Rept. No. 1898). Referred to the House Calendar.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. SIROVICH: A bill (H. R. 12948) transferring the functions of the Federal Radio Commission to the Radio Division of the Department of Commerce; to the Committee on the Merchant Marine and Fisheries.

By Mr. BUTLER: A bill (H. R. 12949) to provide for an Indian village at Celilo, near The Dalles, Oreg.; to the Committee on Indian Affairs.

By Mr. COOPER of Wisconsin: Joint resolution (H. J. Res. 365) to change the name of B. Street NW., in Washington, in the District of Columbia; to the Committee on the District of Columbia.

By Mr. HAWLEY: Joint resolution (H. J. Res. 366) to amend paragraph 402 of the tariff act of 1930; to the Committee on Ways and Means.

Also, concurrent resolution (H. Con. Res. 38) amending subparagraph (4) of section 651 of H. R. 2667; to the Committee on Rules.

Also, concurrent resolution (H. Con. Res. 39) relating to the enrollment of H. R. 2667; to the Committee on Rules.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BRAND of Ohio: A bill (H. R. 12950) granting a pension to Catherine Middleton; to the Committee on Invalid Pensions.

By Mr. CROWTHER: A bill (H. R. 12951) granting an increase of pension to Kate E. Addy; to the Committee on Invalid Pensions.

By Mr. EVANS of California: A bill (H. R. 12952) for the relief of William J. Dillon, alias William Rhoades; to the Committee on Naval Affairs.

By Mr. FOSS: A bill (H. R. 12953) granting an increase of pension to Esther E. Smith; to the Committee on Invalid Pensions.

By Mr. HAWLEY: A bill (H. R. 12954) granting an increase of pension to Charity Isabelle Beeson; to the Committee on Invalid Pensions.

By Mr. HOPE: A bill (H. R. 12955) granting an increase of pension to Hannah V. Cunningham; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12956) granting a pension to Hannah Address; to the Committee on Invalid Pensions.

By Mr. KIEFNER: A bill (H. R. 12957) granting an increase of pension to Mary E. Ward; to the Committee on Invalid Pensions.

By Mr. KIESS: A bill (H. R. 12958) granting an increase of pension to Emma M. Reed; to the Committee on Invalid Pensions.

By Mr. LEAVITT: A bill (H. R. 12959) for the relief of John T. Doyle; to the Committee on Indian Affairs.

Also, a bill (H. R. 12960) for the relief of Mrs. Thomas Doyle (Margaret Doyle); to the Committee on Indian Affairs.

By Mr. FRANK M. RAMEY: A bill (H. R. 12961) granting an increase of pension to Mary E. Hartwell; to the Committee on Invalid Pensions.

By Mr. THATCHER: A bill (H. R. 12962) for the relief of the Federal Real Estate & Storage Co.; to the Committee on Claims.

By Mr. WELCH of California: A bill (H. R. 12963) for the relief of George A. Dobbs; to the Committee on Military Affairs.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

7558. By Mr. CONNERY: Petition of employees of Boston regional office of United States Veterans' Bureau, in favor of Saturday afternoon half-holiday bill for Government employees; to the Committee on the Civil Service.

7559. By Mr. LINDSAY: Petition of F. A. Ramig Co., New York City, protesting the injustice of an increase in duty on embroidered handkerchiefs; to the Committee on Ways and Means.

7560. By Mr. YATES: Petition of L. J. Fleming, president Plate Printers Die Stampers Union of North America, 3353 Clifton Avenue, Chicago, urging the passage of House bill 6603; to the Committee on the Post Office and Post Roads.

7561. Also, petition of Jones & Winter Co., 53 West Jackson Boulevard, Chicago, Ill., urging the defeat of House bill 11096; to the Committee on the Post Office and Post Roads.

7562. Also, petition of California Vineyards Co., 213-219 East Illinois Street, Chicago, protesting the passage of House bill 11096; to the Committee on the Post Office and Post Roads.

7563. Also, petition of C. L. Neil, president of the Physicians Record Co., 161 West Harrison Street, Chicago, Ill., requesting the defeat of House bill 11096; to the Committee on the Post Office and Post Roads.

7564. Also, petition of Walter G. Pietsch, vice president Goll & Pietsch (Inc.), 333 North Michigan Avenue, Chicago, Ill., urging defeat of House bill 11096, stating it is foreign to the spirit of this country and its postal laws; to the Committee on the Post Office and Post Roads.

7565. Also, petition of Mother Hubbard Products Co., 556 West Congress Street, Chicago, Ill., protesting the passage of House bill 11096; to the Committee on the Post Office and Post Roads.

7566. Also, petition of Walton & Spencer Co., 1241-1249 South State Street, Chicago, Ill., urging the defeat of House bill 11096, stating it is not feasible and should be defeated; to the Committee on the Post Office and Post Roads.

### HOUSE OF REPRESENTATIVES

SATURDAY, June 14, 1930

The House met at 12 o'clock noon and was called to order by the Speaker.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Look down upon us, O God, and see if we are making the most of our privilege and position. O let us not forget our estate and thus make dim the outlines of our daily conduct. Give us power to see our way and move. May we see the beauty of earth and love the common things of life—the common sky, the common landscape, the common flower, and, above all, the common heart, which has no wealth or power save common love. O may we breathe the breath of all, for they are ever new and sweet and rare. Help us to appreciate the common man with great qualities all along the highway of life. In the name of the Savior, whom the poor heard gladly. Amen.

The Journal of the proceedings of yesterday was read and approved.

#### CERTAIN WAR DEPARTMENT CONTRACTS

Mr. WURZBACH. Mr. Speaker, I present for printing under the rule a conference report on the bill (S. 4017) to amend the act of May 29, 1928, pertaining to certain War Department contracts by repealing the expiration date of that act.

The SPEAKER. The gentleman from Texas presents a conference report on the bill S. 4017. Ordered printed.

Following is the conference report and accompanying statement:

#### CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 4017) to amend the act of May 29, 1928, pertaining to certain War Department contracts by repealing the expiration date of

that act, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment, and agree to the same.

HARRY C. RANSLEY,  
HARRY M. WURZBACH,  
PERCY E. QUIN,

*Managers on the part of the House.*

DAVID A. REED,  
FRANK L. GREENE,  
MORRIS SHEPPARD,

*Managers on the part of the Senate.*

#### STATEMENT

This measure, S. 4017, when considered on the floor of the House was amended on motion of Mr. TABER so as to limit the extension of time called for in the act to one year. This amendment was offered and accepted by the members of the Military Affairs Committee, which had reported the Senate measure unanimously without amendment, because one of the provisions of a House bill, namely, H. R. 5568, when it becomes a law will automatically rescind S. 4017. However, as the next session of Congress is the short one it may be impossible to secure final enactment of H. R. 5568. This would make necessary a further extension of time, a difficult thing to do in the limited time available. Inasmuch as the whole purpose of S. 4017 is to give a necessary extension of authority to the War Department until the provisions of H. R. 5568 become law, your conferees deemed it to the best interest of the Government to have the language of the Senate bill finally enacted, and accordingly recommend that the House recede.

HARRY C. RANSLEY,  
HARRY M. WURZBACH,  
PERCY E. QUIN,

*Managers on the part of the House.*

#### BORDER PATROL IN THE COAST GUARD

Mr. MICHENER, by direction of the Committee on Rules, presented for printing under the rule the following privileged resolution (H. Res. 254), which was referred to the Union Calendar and ordered printed:

#### House Resolution 254

*Resolved*, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 11204, a bill to regulate the entry of persons into the United States, to establish a border patrol in the Coast Guard, and for other purposes. That after general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment the committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and the amendments thereto to final passage without intervening motion except one motion to recommit.

#### CONTESTED-ELECTION CASE OF HILL V. PALMISANO

Mr. PERKINS. Mr. Speaker, I present a report of the contested-election case of John Philip Hill against Vincent L. Palmisano from the third congressional district of Maryland.

Mr. TARVER. Mr. Speaker, I object to the report, and make a point of order against its reception on the ground that it was not authorized by the Committee on Elections No. 2; and I would like to state the grounds on which I make the point of order.

The SPEAKER. It seems to the Chair that the proper way would be for the gentleman to reserve his point of order until the report is called up.

Mr. GARNER. I suggest to the gentleman that he waive it at this time and then make his point of order when the case is called up.

Mr. TARVER. I would like to state at this time, if I may be permitted to do so, the basis of the point of order. This seems to me, Mr. Speaker, a point of order that might be submitted now.

Mr. SNELL. Mr. Speaker, I make the point of order that the gentleman from Georgia is not in order at this time.

Mr. CRISP. I make the point of order that it is in order. This is a matter of constitutional privilege, dealing with one of the highest privileges of the House, the right of a Member of this body to his seat.